

THE  
RIGHT  
OF  
TITHES  
RE-ASSERTED:

WHEREIN  
The Proofs from Divine Institution, Primitive Practice, Voluntary Donation, and Positive Laws are further Strengthened and Vindicated; Especially from the Objections taken out of Mr. *Selden's* History of Tithes.

By the Author of  
The Right of Tithes Asserted, &c.  
*Thomas Comber*

L O N D O N,  
Printed for *H. Brome* at the Gun at the West-end of *St. Paul's*, and *R. Clavel* at the Peacock in *St. Paul's* Church-yard. 1680.



THE  
RIGHT  
OF  
THE  
RESERVED

It is the duty of every citizen to  
be true to his country and to  
the principles of justice and  
equity. It is the duty of every  
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By the order of  
The Board of Trustees  
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California

# THE INTRODUCTION

S. I. **T**HE reading T. E's defence of his former mistakes, recalled to my mind the old Apologue, of the Passenger, who came to a certain Bridge where every one was to pay a Penny for each disease he had, before he might pass over, and refusing to pay his Fine for an apparent disease, he struggled so long, till two more were discovered that were unsuspected before; so that at last he was forced to pay for three instead of one; and his infirmities which might have been concealed, were only made more publick by this unreasonable opposition. Caussin. Parab. Hist. l. 3. 71. And truly my Adversary hath cleansed his blots with blurred Fingers, and made all his faults worse, while he attempted to mend them; for he hath vindicated himself from that ignorance and dishonesty I charged him with before, by so many fresh instances, that his very Apology proves his Crimes, and confirms the justice of my Accusation: And that the Argument may not be too much interrupted by the frequent demonstrations hereof, which his Book every where affords, I shall sum up a few of the principal evidences of that nature in this Introduction;

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and because his own words do best describe his qualifications and manner of writing, I will venture to present him with his own Picture drawn by his own hand, though perhaps it may have the same effect upon him, that a Looking-glass had upon Old Lais, when she saw her wrinkles there, who fell into a rage at the sight of her own deformity, and broke the Glass, because it shewed her such a face (not as she wished, but) as she

(a) Julian. really had (a). The People did not like the Anihol. 1. Picture which the Græcian Lynner had drawn 6. c. 8. Sed by their own direction, however he writ upon it, cum sedus This was the Peoples Draught; and so may I accesserit. sedum ibi upon these Characters, T. E. Fecit.

te videris,  
noli specu-  
lum accusa-  
re, non te  
fallit specu-  
lum, tu te  
noli fallere.  
Aug. de  
Temp. 235.

§. 2. **A**ND First let it be observed, that he seldom accuses me for any pretended fault, of which himself is not really guilty, and which he doth not commit in this very Book in which my Charge is contained. He taxes me for Pride, pag. 4, &c. and my describing the English Clergy as more Learned than the Quakers, is reckoned among my Brags, Insults; and Vanities, but sure (as the Comædian speaks) If I were worthy of this reproach, yet is he, of all others, the least fit to charge me; since his own Pride and Self-conceit is sufficiently visible in all those Pages of his Book, where he tires his Reader, while he pleases himself with large repetitions of what he hath proved, and with great Characters of his mighty performance, and he seldom goes on twenty Leaves together, without standing still awhile to admire himself, pag. 57. pag. 96, 145, 173, 194.

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210, 248, 251, &c. But his Pride is written in Capital Letters on his Title Page, and since the Quakers name their own Brats, we may be sure the name was of his own giving. His former heap of Self-baffling falshoods, was humbly stiled, Truth Prevailing: and this feeble Effort is with equal modesty called, The Foundation of Tithes shaken; That a Quaker should shake, is no marvel, and that in his shaking fit he should think all about him trembled too, is not very strange, that men of no Principles should endeavour to shake Foundations, is probable enough. But that those Foundations which have stood so many Ages, and endured so many stronger Batteries without the least harm, should be shaken by this Pot-Gun, is incredible; the poor blind Mole may as soon be believed to have shaken the Foundations of a well built Castle, when she hath cast up a little heap of dirt beside the Wall, as T. E. be thought to have shaken the Foundation of Tithes by a Book, wherein he hath only shaken his own credit: But if you will take his own Testimony of his own Exploits, he hath both shaken the Foundation of Tithes, and (done far more) removed the four principal Posts on which a nameless Author set his pretended Right to them. 'Tis well for the Author he was nameless, and out of the way, or else 'tis to be feared his Name had been buried in the ruins of his own Building, which T. E. hath levelled at one blow. But I pray, what were these Posts which this mighty man hath removed? Truly, no less than Divine Institution, Primitive Practice, Voluntary Donation, and

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Positive Laws. And, First, This is not the only Divine Institution, which Quakers have attempted to remove, even Baptism and the Lord's Supper, which all Christians in the World own as the Institutions of Jesus, this sort of men (with Jews, Turks, and Pagans) do quite remove from their whole Party, and would (were it in their power) banish them out of the World; but when He that Instituted them comes to enquire how His Ordinances were observed, they that break these Commandments, and teach men so, will know what they and their Champion T. E. deserve, for removing Divine Institutions.

Secondly, Primitive Practice also the Quakers must remove as far out of sight as they can, lest it upbraid their new devices as perfect contradiction to the purest Ages; and truly, if they could remove the notice of Primitive Practice from our Observation, as far as they have done their own waies from the imitation of it, they would have good cause to glory in that impious action, as the security of their ridiculous innovations.

Thirdly, Voluntary Donation: which (especially if it be to God) cannot be revoked by him that made it, and yet T. E. hath removed this also: What Ananias got by such removing, Acts 5. we all know. But this remover can disanul the Will of the Dead, and blow away the Practices of past Ages, and Cancel the Laws of this, and boast of it when he hath done; for his Last remove is, the removing Positive Laws, which the Supreme Authority had fixed, 'Tis well for the



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the Quakers that they have such a Friend, who hath quite removed those severe Laws under which they so often smarted for their obstinacy, let them never complain hereafter of their sufferings by these Laws, for T. E. hath removed them or belyed himself, for he saith the Positive Laws (for Tithes) are removed, if you ask, Where? he tells you, In a Reply to my Book; if you enquire, By whom? he saith, by Thomas Elwood; so that he hath Indicted himself by Name for removing, that is, subverting the Laws, and what he deserves for that, our Statutes will acquaint him; and doubtless, if he had as really done this Fact, as he vainly boasts of it, he might guess whether his next remove might be: For since our Magistrates who are the Custodes Legum, punish such as only break the Laws once, surely they would not let him escape, if they believed he had removed them. But — Non compos will save him, for he only in a boasting Freak of Enthusiastick Frenzy, hath accused himself to have killed a man that is still alive, and to have removed those Laws, which stand yet, and are like to do (I hope) so long as the Nation endures. And (what ever swelling words are in his vain Title) who ever judiciously reads his Book, will acquit him from the guilt of having actually removed any one of these, so that he is only to account for the malice of intending it, and the pride of bragging of it; his weakness sufficiently securing him against all possibility of further mischief, and therefore I reckon it among the instances of his extraordinary self-conceit, As I do also his comparing himself to the famous

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Luther in the next Page; nay, to St. Paul, *Introduet.* p. 1. as if his writing against Tithes had the same effects that the Preaching of the Apostle had against Paganism, or of the great Reformer against Popery. But though it was witty enough in Erasmus by that fancy to commend Luther, yet it is very foolish in T. E. to apply it so grossly in his own praise, and to tell us how he had pinch'd the Priests as severely as as ever Luther did the Monks, for the Wise man saith, Let another man praise thee, and not thy own mouth, *Prov.* xxvii. 2. But he cannot forbear bragging, That I found my Diana totter by a Stroke from the last Chapter of his former Book, and was apprehensive of greater danger, if timely course were not taken, *pag.* 2. when yet he confesses, that I look upon him with all the contempt imaginable, *pag.* 4. 'Tis strange he should expect to be revered for audaciously undertaking a thing so much above his capacity, and 'tis as unlikely I should fear the attempt of one whom I knew to be so despicable. This tottering therefore was the effect of a Quaking in his own head, and the danger a Vaunt of his own inventing; But how large Epithetes soever he bestows on his own pains, I and my Brother Priest, with our Arguments, are by this humble man thus modestly treated, of him he cries out, Poor weak man! *pag.* 6. and of me ironically, This wise man, *pag.* 211. yea, looking down on me with great pity (for I am little David now, and he great Goliath) How hard (saith he) is this poor man put to it to piece up something that might

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might look a little like a proof, pag. 128. and no marvel, for pag. 373. he (with great scorn) saith, I talk idly, and that my Position is enough to render me suspected for a Natural, pag. 473. and that I may return to my A, B, C. pag. 422. Again, he questions Whether I understand the nature of a Gospel Ministry? p. 301. And well he might, if it be true which he saies, That I abound with Confusion, and have little strength of sound Argument, or force of solid Reasoning, p. 2. and that in one whole Section, There is not one solid Stone of Truth, or firm Pillar of Reason, p. 58. And my Friend's Book he saith, Is all of it either unguarded, or ill guarded, p. 13. a Censure that none would pass but T. E. who is so full of his own praises, that he hath no room for a good thought of any other man or his work. Nor can we much admire at this Treatment, since he deals no better with the Fathers, when they oppose his conceits; thus the Learned Origen is rejected with reproach, p. 69. though he be a good witness when he speaks T. E's sense, p. 274. Et sapit & mecum facit. St. Augustine's opinion is rejected with scorn, p. 437. yea, and all that think as he thinks, Are in danger (he saith) to be begged, that is, for fools, p. 438. and yet what St. Augustine thinks and saies there, is cited with approbation by his often commended Dr. Willet, and by a whole Council together in which Arnulphus the Emperor presided, and it consisted of the three great Archbishops of Germany, nineteen Bishops, with innumerable Priests and

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and Deacons, and many of the Lay-Nobility, Concil. Tribur. c. 13. ap. Bin. Tom. 3. p. 2. Had T. E. been then alive, it had been a better Trade than Speaking to the Quakers, to have begged all these mens Estates, especially if he could as easily have proved as called them, Fools. However he goes not much further before he undertakes to prove there is neither Truth nor Reason in a Position of St. Augustine, which is in effect, to prove him in that Particular a Lyar and a Fool, p. 492. But I cannot reckon up all the Demonstrations of his insolent pride, and these may suffice to shew what Spirit he is of.

§. 3. **T**HE next piece of his Character shall describe his Meekness and Patience, to which the whole Sect makes more than ordinary pretences, and T. E. hath greater obligations than any of his Party, to take heed he be not found destitute of these good Qualities here, where he so highly accuses me of the contrary: For, What Authority can that censure have (saith Seneca) where he that is to be condemned, doth condemn? And surely (saith St. Ambrose) he more sadly condemns himself, who condemns that in another which he himself commits, Ep. 76. He accuses me for endeavouring to besmear his name with all the ignominy, reproach, and obloquy I could, and brings in a large Bill of my ill language, p. 3. and yet in the same breath tells me of my evil Nature, and worse Education. Another complaint of my railing, and an additional collection of particulars he hath, p. 503. But if  
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the Reader please to consult the places cited, he will easily discern what just occasion I had for every one of these expressions. And his Second Book hath so fully justified all those Epithetes, that I am saved the labour of proving them, by his making out his own claim to them. And unless T. E. have a Monopoly for harsh language, 'tis somewhat strange why others may not speak sharply where it is deserved, with as little crime as he may where it is not; but if it be a fault simply to give harsh words, let these testify for his gifts in that Science. The Rhodomantado's of this Polemical Priest, p. 4. This is an Art this Priest is expert at, but—'tis a black one, p. 25. I have cause to think him more bold than honest, *ibid.* He seems to have abandoned all regard to truth and modesty, p. 83. Having prostituted his reason and his conscience to the libidinous desires of advantage, p. 242. This unjust man, p. 104. Shameless man, p. 273. Bold slanderer, p. 360. False man, and most unworthy, p. 338. Yea, he likens me to Judas, and by a — hides a Name which would have been Actionable, p. 408. And that his Charity may keep proportion with his Meekness, he judges me to be an Intruder for a corrupt interest, p. 371. A time server, p. 77. A temporizing Priest, p. 466. And a right Romanist, p. 493. with such like Billingsgate Complements, so familiar with Quaking Speakers, when they discourse of men of my Profession, that they drop from him with great facility. Nor is his filth disgorged upon me alone, but the whole Reverend Order of  
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*the Protestant Ministry of the Church of England are most falsely and maliciously slandered by him, as being Ten-fold forwarder to curse than to bless, — ruining Families by frequent rapine; and like to blind Watchmen and false Prophets, p. 56. So far from being better than the Levitical Priesthood, that they are not a little worse, p. 78. He accuses them of spending more time and Money in Taverns and Ale-houses than upon acts of piety and mercy, — of making many sad by their exactions and extortions — of encouraging more Sinners by their Example, than they reprove by words, p. 376. — of scraping, scratching, rending, and tearing, never thinking they have enough, p. 476. yea, he calls them, The lazy Clergy, p. 435. Fat Priests; Confident Priests, p. 441, and 449. And like a right Member of that Family where he dwelt, he saith the Loyal Clergy which suffered in the Cause of God and King Charles the Martyr, need all the Odours I have provided to sweeten their Names, p. 477. whereas no doubt their memory among all good Subjects shall be blessed, when the names of that blessed King's Judges and Murderers shall rot: But what, or who will not this Quaker vilifie? The Sacred Ordinance of Baptism is with him scornfully called Sprinkling, p. 56. and is reckoned among Gossiping Bouts, p. 446. The other venerable and Divine Mystery is jeeringly stiled, Bringing out our Bread and Wine, p. 55. The Reformation is censured as too short in not laying the Office of Priesthood aside, p. 396. Yea, he asperges*

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aspenses the most learned Age of the Primitive Church with Ignorance and Superstition, p. 167. and some of the purest times with Popery, 174. yet this is our mirror of Meekness and Patience, this the Charity and sweet language of our Quaker to all sorts of Persons and things that stand in his way; this is he that complains so sadly of injury to his Name, yet makes so bold with theirs who are every way his betters. Now what he deserves for that which relates to others, I am content the Reader should judge. As for what concerns my self, I do heartily, and can easily forgive him, as being never likely to be worse thought of by any wise or good man for T. E.'s reproaches and censures. Synesius reckons it among the greatest of his Praises, that Julius (a very ill man) publicly defamed him; Epist. 62. And Padre Paulo was glad to hear that the Pope said he was a wicked man, For I know (saith he) that he takes himself to be good, and then he can call me no otherwise, who professes my self to be most unlike him. His deep sentiments of my just Characters of him, are only Arguments that he did deserve them, but I can safely say his evil language did never work upon me beyond the occasioning a smile: And it may be, he knows who they two were, who being both abused by the Stage, One of them was very merry at the affront, and the other went and hanged himself. *Æl. var. hist. l. 5.*

S. 4. **I** Made indeed some sharp reflections before upon his gross ignorance, but it was upon sure and just grounds; and had I stiled him

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him, Learned, I had abused him indeed, as will appear when we have shewed his Reading and Skill in Authors; his knowledge of History, Chronology, Antiquity, and the like: Some little Learning the Quakers thought he had before, and (I hear) they brag he hath shewed much more now, which ignorant Vannt sufficiently proves them an illiterate Set; for, as Suidas observes, Acamathius passed for a Philosopher, though destitute of all Learning; but it was only in his own Town of Heliopolis, where scarce any man could read. Verb. Acamath. p. 42. But whatever they think, T. E. hath now fully satisfied all the learned part of the Nation, that he is a poor Retailer indeed, citing Authors he never saw, and bringing in Witnesses whose right Names he doth not know; Censuring the Fathers without ever having read them, or knowing so much as the names of their Works when he sees them cited to his hand: Had he sitten down and confessed his mistake about St. Basil and Firmicus, that modesty would have made his ignorance very pardonable; but since he will not only vindicate those, but fly higher than his Waxen Wings will carry him, no wonder if he falls into worse errors, and loses the repute of that little knowledge he was thought to have before: The Camel would needs have Horns (saith the Proverb) but for that vanity she lost her ears. It will be no unpleasant Scene to those that are acquainted with good Authors, to observe what childish and ridiculous mistakes T. E. is every where guilty of: And First, whereas every young Student knows Sixtus Senensis his Bibliotheca,

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a Book as commonly read and cited by all Protestants, that would judge of the Fathers, as any of that kind: T. E. finding in Perkins his Problem, p. 24. these words, Ex Sixto Senen. Biblioth. l. 4. learnedly translates them, Out of Sixtus Senensis the Library Keeper, p. 166 Risum teneat:—Had T. E. been a Library Keeper himself while he was following E. B. and the rest of his inspired Guides, his time had been much better spent, and he had not exposed himself thus miserably to the laughter of the lowest sort of Schollars, for he would at least have known the names of Books better than to have made the very Book-sellers Apprentices merry: But we see the Quakers Inspiration doth not secure them from taking Bushes for Bears, nor learn them to distinguish between a Books name and a mans employment: A rare infallible Guide this! A fit man to censure my Quotations! This Perkins Demonstrat. Problem, is the chief Latin Book he meddles with, and yet, alas! he was not able to use this neither, for when I had cited Hieron. in Matth. 22. that is, St. Hierom's large Commentary upon the whole Gospel of St. Matth. a Work that takes up a great part of one Folio, and known to all that ever saw St. Hierom's Tomes; yea, and so certainly genuine that neither Perkins, nor any other Protestant, or Papist ever doubted of it: T. E. (who doubtless is a perfect stranger to this Father) goes groping into Perkins, and there, p. 23. among the spurious Works of St. Hierom, very luckily finding these words [Homilia super Evangel. Matthæi] away he runs, thinking he had suffi-

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ficiently answered my Quotation, by saying, p. 168. That Homily upon Matthew is rejected by Perkins, &c. Very pleasant! Perkins rejects a little short Homily of two Pages only (falsely titled in him too, on Matth.; for it is a Homily on Luke xi. 5, 6, 7, 8. about the importunate Friend:.) Ergo, that which I quoted out of no Homily, but a large genuine Commentary, is rejected too; and this serves his Quakers for an Answer, but it only shows wiser men, that he meddles with matters he understands not——Tra-  
 Gent fabrilia Fabri. He goes not much further in this unknown Path, but he gets another foul fall, for when I had been speaking of a gift of Constantine to the Clergy in the Cities of his Empire, mentioned by Theodoret and Eusebius, and owned by all for an Authenrick History, T. E. finding in Perkins again, p. 15. Donatio Constantini, mentioned as a Forgery, ridiculously applies it to this gift of a certain Tribute of Corn, and tells us the truth of the Donation is questioned by Cusanus, and disproved by Perkins, &c. p. 190. ignorantly thinking, that the most infamous Forgery that ever the World saw, wherein Constantine is pretended to give all the Western Empire, and all Imperial Ensigns and Power to the Pope of Rome, which Cusanus and Perkins and every body else explode, was the very same with a pious and real gift of Constantine to all his Clergy in the Cities of his Empire, which gift none ever doubted of: and with T. E.'s Respiration so shamefully desert him, while he is defending that which he thinks so good a cause. With like gravity and judgement he wisely



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ly brings a Decretal Epistle of Pope Syricius to prove it self to be genuinely pag. 274. as if Syricius his Decree (which is contained only in that Epistle to Hymerius Bishop of Tarragon) had been something made by that Pope at some other time, and might have been proved to have been the Act of Syricius, by the same Epistle in which he is pretended to have written this Decree; but he betrays his ignorance in thinking these were two several things. (finding perhaps that Perkins did first cite a Decree of that Pope, p. 192. and then an Epistle, p. 200.) and yet manifests his dishonesty also in bringing that Epistle for an Authentick proof out of Perkins, who expressly condemns it for a forgery; p. 33. But, alas! it helps his Cause but little that a feigned Decree, and the forged Epistle containing it, do both declare the same Doctrine, for though he calls them by two names, they are but one falshood, and he hath only brought a man, when his Cloathes are changed, for his own Voucher. But we must not enlarge upon all his Follies, let it suffice to note briefly; That p. 181. he reckons a silly, shameless, and known forgery of a pretended Council at Sinuessa, among the Authentick Councils of the Primitive Church: That p. 191. he knows not where to look for a known Story, that all who have skill in the Councils can go directly to: nor did he know what to make of two Quotations out of the Civil Law in the Page before: And does he expect I should teach him who knows all things? He quarrels at my Translating, p. 179. and yet he (though Grammar seem his only Science) ridiculously Englishes

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lishes these words, In Synodo Meldensi, In the Synod of Meldensis, instead of the Synod of Melda, or Meaux (as 'tis now called.) What Master would not whip a School-boy for translating, Civis Londinensis, A Citizen of Londinensis? Nor is his skill greater in Chronology, wherein he is so pert, as out of Burdegalenſis, and Fasciculus Temporum to correct my Dates of Councils, taken out of the most exact ancient and modern Computations, blaming me sometimes for a difference of four years only, p. 179. And yet he himself misses above two hundred years at once in the date of Theophylact's death, p. 50. and computes Prosper's time to be fifty years after St. Augustine, when they lived the greatest part of their time together, and Prosper out-lived St. Augustine but twenty five years; for St. Augustine died An. 430. and Prosper 455. pag. 172. Again, pag. 235. he mentions a Charter of Ethelbald's, and saith it is above fifty years older than Ethelwolf's, and so indeed it is, and he is an exact Computer too, for Ethelbald's Charter was made in the year 749. and Ethelwolfe's, An. 855. that is, above an hundred years older than Ethelwolfe's. The truth is, he deals only in Modern Authors, and confutes Eusebius by Fox his Martyralogy: St. Augustine, and St. Hierom, or Origen by Brute and Thorp; or at best by Fulk and Willet, or Perkins, and these often wilfully perverted too, where-ever these Authors misled him, he is incapable of discerning it: and where they leave him, he can say nothing to the purpose. p. 169. how miserably

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miserably he gropes about a place in St. Augustine, which Selden saith nothing against; so again, p. 190, 191. 192. where Selden is silent, his Inspiration fails him. He presumes also, p. 161. to give the sense of St. Cyprian, whose Book he never saw, for though he tells us, They that fairly consult the place will easily see I mist his meaning. 'Tis evident T. E. could not see this himself, for observe how fairly he had consulted the place, His words (saith he) as I find them in Selden's Review, &c. So that he fairly consults them at second-hand, and though he never read the whole Discourse, presumes to correct me that had; which was very modestly done. He flourishes sometimes, as if he cited the Ancients, but can go no further than some modern Authors lead him; nor can he cite any more of St. Augustine's Sermon than Selden had collected to his hand, p. 171. He brings in Origen, Syricius, and Leo the First, p. 274. but all out of Perkins by meer Retail, and yet, p. 6. because he cited Gauden for Firmicus, He is angry we will not believe he did read that passage in Gauden, as if he never quoted any Author which he had not seen, or as if Fisher had not enabled him to quote Gauden. But all this will not hide his gross ignorance, for if both Fisher and Gauden's Printer had read it Firmicus, a very ordinary Schollar would have corrected it Firmicus in Transcribing, any Library-Keeper, or Auctioner could have done that. He saies, it cannot be doubted (by any that understands Books) that many men of note in several Ages have accounted Tithes Ceremonial,

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nial, p. 87. *An Assertion that convinces all Scholars that T. E. doth not understand Books at all, so that he may reasonably enough doubt of that which he so falsely and boldly affirms. Some lesser Evidences there are of his weakness which need not have been produced, if he that charges me with Solœcisms had not given us such grounds to believe, that nothing is too absurd to fall from his Pen. His calling the silence of a prophane Author, p. 34. Scripture silence, is somewhat odd, and shews how little difference Quakers make between holy Scripture and Pagan Books, his putting the vulgar Translation for the usual English Version, p. 67. is somewhat strange. His making a doubt whether Christian Princes be Christian Princes, p. 233. and his saying that the Christians of old (whom I supposed Christians already and inspired too) needed a Gospel Ministry to make them Christians, pag. 110, 111. may be coupl'd. And p. 241. he tells of some who were corrupt in Doctrine, corrupt in Practice, corrupt in Life, corrupt in Manners; and yet Practice, Life and Manners in this sense are all one, and he makes a distinction where there is no difference. These with many more of of this kind we will pass by, and now submit it to any competent judgment whether T. E. have any Learning at all. It may be some will say what is it to the Question whether he have any or not? I answer, doubtless 'tis very much to the Question to know whether he that writes upon it be fit to do it or no. As for the Divine Institution, Mr. Selden was so modest as to protest, p. 2. He did*





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lity, than direct to any thing that may satisfie; *Seld. Pref. p. 12.* Yet this is the *Shaker of Foundations, and Remover of Principal Posts; the Man that passes for a Man of Learning among the Quakers, doubtless for the reason given in S. Hierom's Proverb, Balbus melius balbi verba cognoscit; Hier. Apol. ad Dom. T. 2. p. 148.*

S. 5. **T**He next enquiry shall be concerning his honesty and truth in things that he did or might have understood: And in this also he is like his Progenitors (whose Character S. Jude gives us, verse 10.) not only speaking evil of things he knows not, but corrupting himself in what he knew. His want of Learning may look like misfortune; but to be wilfully unjust must needs be a crime, and an inexcusable one, in him who puts on the fair outside of a Yea and Nay Man; for such by pretending to be more tender, and more afraid of a dishonest act or unjust word than others, find easier belief among the simple. This specious pretence strips men of their usual caution, and prepares them to swallow the gilded Pills of such Hypocrisis without suspicion or examination; and as Plutarch illustrates this matter, The Falshoods of a seeming honest man are like Poison mingled with strong wine: The wine (which of it self is cordial) by its heat makes way for the Poison to penetrate the heart immediately, and makes the fatal draught to become presently destructive, and without remedy; *Plut. de adul. p. 61.* And yet we have  
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*¶ Totius iniustitia nulla capitalior est quam eorum qui cum maxime fallunt id agunt ut viri boni esse videantur. Cic.*

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so plain and so various instances of his dishonesty in this Book, that I must content myself with a few of the most material. First, He that strains at a Gnat, and can spend a great part of a Page in railing at me for the smallest alteration in his words, without any design, or detriment to his sense, p. 25. He (I say) can swallow a Camel, and leave out, alter, or put in words to what he cites from me without any scruple. Pag. 1, 2. He cites the same words as mine about the Oyl and the Pay in two several forms, one of which must needs be false: What outcries doth he make about my putting in the word only, though his sense implies as much, p. 116. yet he puts in the word singly, p. 10. and lays great stress upon it. Again, p. 21. he leaves out these material words in the middle of a sentence cited from me ——— for he needs not our goods himself, Psal. 16. ver. 2. which words are the reason and proof of my assertion. And indeed 'tis one of his black Arts, to hide my Reasonings and my Proofs, by mangling my sentences (as he doth notoriously pag. 80.) and then cries out I beg the Question. So p. 263. he pretends to cite me, but with a cunning line ——— hides the main strength of my Discourse. Nor is he one jot honest as to his own words when they pinch him, or stand in his way, for he denies or conceals them to serve a present turn: How fiercely he quarrels at me for charging him with saying, Abraham paid Tithes; whereas in one Page of his first Book, p. 280. he uses that very word [paid and pay] three times: so for all his railing set at me for putting in the word

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[particular] p. 116. these are his own words, pag. 319. of his first Book, He that appointed a maintenance in general, describes also that maintenance in particular. Again, when he would cover his flattering the Impropriators, and exasperating them against us; in citing his words, p. 262. he leaves out these. I need not (I suppose) tell the Impropriators that this concerns them. Doubtless he is buffeted sufficiently, who is thus driven to eat his own words, both in these and other instances I could give: But it may be thought he takes greater liberty with my words and his own than he will do with others, there we may expect strict honesty from him that taxes me with the least accidental alteration; yet even there also he takes so wicked a freedom, as not to value how he alters either the words or sense of any Authors, or what he adds or omits to serve his ends of Deceit, wherein his Knavery is much aggravated with strange impudence, to quote Authors falsely against the Priests, who have both books and skill to discover him, however he may impose upon his blind Quakers. To come to particulars, pag. 35. he quotes his great Master Selden to prove the Gentiles had the opinion of Tithes from the later Jews, and not from Abraham or the ancient Patriarchs; whereas the next words to those he cites, are, Neither is it unlikely that the ancient and most known example of Abraham gave the first ground both to them and the Europeans, so sometimes to dispose the Tenth of their Spoils of War to holy uses; Seld. cap. 3. p. 34. which the Quaker

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*designedly omitted to abuse his Reader. Indeed no Author can escape his fingers; poor Willet's mouth is stopp'd in the middle of a sentence, p. 91.*

This provision for the Church maintenance by paying of Tithes is the most safe

[here T. E. gags him, but the Doctor being set at liberty goes on] indifferent, and surest way, and no better can come in the place thereof: which he proves by three Arguments, 1. It is most equal to have every thing in kind, according to the Apostle's Rule Gal. 6. ver. 6. &c. 2. It enables them to be hospitable, 1 Tim. 3. 2. 3. It is more or less as God giveth increase to the fruits of the earth, which is the most equal and indifferent way. But the Quakers were not to see this, Elwood bath his Index Expurgatorius, as well as the Papists, and gilds Authors as well as they.

Page. 92. He puts another falsehood on the good Doctor, saying, He shews he understood the Moguntine Synod so; that is, That Tithes depended on Positive Laws: which is evidently false; for Willet only cites that Council thus, Synod. Mogunt. c. 7. Statuimus ut decima quæ jure debentur divino, solvantur sine fraude: (And then adds) This Council doubteth not to affirm Tithes to be due by the Word of God. But as he cites Perkins the ofttest, so he abuses him the most; and the Reader will easily believe he doth so, if he consider that T. E. cites his Demonstration of the Problem, to prove that Popery was ancienter in the Church than either the Opinion or Donation of Tithes: Now the Problem which Per-

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kins writes that Book to demonstrate, is this, It is impossible for any Popish Divine in the World to shew out of the genuine Monuments of Councils and Fathers, and out of their genuine sense, that the Faith of the present Roman Church, where it differs from the Reformed Churches, is truly Catholick. And by Catholick he understands believed every where, always, and by all, as Lirinensis doth. And indeed the whole design of the Book is to prove Popery is not ancient, nor was not universal; and his final conclusion, p 244. is, No Apostle, no holy Father, nor Orthodox Person, for 1200 years after Christ, did ever so think or teach as to all the Principles and Fundamentals of Religion, as the Church of Rome in the Trent Council now Thinks and Teacheth. And is it not very unlikely that T. E. could honestly bring matter out of this Book to prove Popery received in the Church within 200 years after Christ? Unless Perkins were as vain as T. E. and writ on purpose to confute the Question he was to prove, it cannot be but he is basely abused, to be brought in, as building that which he destroys; and I do affirm T. E. hath shamefully perverted his words and sense, and dishonestly concealed that which is Perkins his meaning. Nay, I dare undertake to prove out of the same Chapters (whence T. E. picks up sentences to make Popery seem received so early in the Church) that Perkins flatly denies it was then received; but at present a few plain instances shall confirm this, Pag. 174. He cites Perkins to prove that the  
opinion



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opinion of Purgatory was received and believed in the Church about 200 years after Christ; and saith Perkins confesses both *Tertullian* and *Origen* held it, *Problem. p. 175.* But note Perkins's words are, Purgatory in the Church was first received by *Tertullian* the *Montanist* (that is the *Quaker*) and *Origen*, but this last would have it in this life. Whence we see the whole Church did not believe it, nor any but these two in the Church, and one of these was an *Enthusiastick Heretick* when he did speak of it, and the others Purgatory was no *Popish Purgatory*, which pag. 180. the same Perkins saith, was not received by the Ancients, unless perhaps after 600 years, and that the foundation of *Popish Purgatory* was not received of the Learned in the Church for 1100 years after Christ. And now doth Perkins prove that *Popish Purgatory* was believed in the Church in *Origen's* time? Or is he a fit witness for this bold man to bring in to prove a Church corrupted with *Papery* 200 years after Christ? And that he useth him thus in all those citations, p. 174 and 175. I will shew in its proper place, noting only that in his last instance, p. 175. he gives us as Perkins's words, The single life of Priests began to be preacht up by, or before the year 300: whereas his words are quite different, viz. The marriage of Priests for 300 years after Christ was every where free, without any interdict or vow of perpetual Continence. And in that very Chapter Perkins brings a sentence out of *Origen* to prove, that the Testimonies of the

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the Ancients about the single life of Priests, were private opinions and conjectures: *It seems to me, saith Origen, &c.* — p. 198. T. E. stole the rest of this sentence out of Perkins, p. 274. and left out the words that introduce it (which would have discovered the cheat) citing it for an evidence, that this was the common opinion of those times: Thus Cacus-like he draws his stolen goods backwards into his Den, that we might not discern whence he had taken them, but his thievery and injustice cannot be concealed. Yet he will venture again, and custome is hard to cure, wherefore when he is blaming me for mis-citing Polydore Virgil (whose words I did not pretend to quote, only set his Name in the Margin) He (though he says he gives us Polydore's own words, p. 270.) omits two sentences; One in the bottom of p. 270. which signifies, Pelagius his decree was one of the most unreasonable things that ever the World had seen. Another in p. 271. he covers with a line — viz. shewing that S. Gregory thought that decree contrary to the Gospel, which commands to put away the Wife only for Fornication: both which T. E. thought made against his interest, and therefore shuts them under batches. As he doth also the Bishop of Rochester's words, p. 276. which make Indulgences much later than Purgatory, and which Polydore there cites at large. Equally just we shall find him to be toward his great Historian Wernerus, the Author of Fasciculus temporum, for what he speaks of 8 Popes (that live not ten years in all) viz. that nothing but

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but what is scandalous can be found of them, T. E. applies to all the Popes after Pope Jone, pag. 305. yet of Pope Nicholas, who was but a little after her, that same Author saith, He was so holy that none since S. Gregory was to be compared to him. Again, in the next Page he keeps his hand in, by shifting a sentence of the same Authors, that plainly confutes the Quakers assertion of the Apostacy of the Roman Church before Ethelwolf; viz. What scandals do we read to have happened about these times even in the holy Apostolick Seat—— (there T. E. stops, but the Author goes on) —— which thou hast kept hitherto with so much zeal, (and a little after, where T. E. breaks off again) Yet after these times there were many holy Popes, saith Wernerus, who is a great Bigot for S. Peter's Chair, and doubtless little thought to have been brought in for a Witness against it; but T. E. can make any man say any thing he hath a mind at this rate of quoring, as might be abundantly made out by many more examples, but one undeniable instance shall suffice: In his 305th Page, the honest Quaker brings a long quotation out of Platina vit. Stephani 3. and impudently tells us that Platina saith all that of the times before Ethelwolf; nay, that he laments the wickedness of the times (well nigh an 100 years before Ethelwolf's Donation) in these words,—— But now Devotion and Religion is grown so cold, &c. which is as horrid a falsehood as can be spoken: For let any man read the place, and he shall find Platina is highly commending the Devotion of those times, and

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and shewing, how both the Pope himself, and all that were present, made their Supplications in a Procession with bare feet and great devotion from the Lateran Church to S. Peters. But now, saith he (*speaking of his own times, viz. Anno 1471.*) Devotion and Religion is grown so cold — and so on to the end of T. E's long quotation, every word of which concerns Platina's own times, that is, 600 years after Ethelwolf — and then the Historian goes on thus — I return to Stephen that most holy man, *Platin. p. 118.* What is this but forging evidence, corrupting witness, false dating Records? For this could be no other but a deliberate and designed cheat, and is a fair demonstration that Quakers, who will not swear, will lye without scruple; and they that will not confirm the truth with an Oath in a good cause, will bear false-witness to make out a bad one: And T. E. in particular makes no scruple of speaking falsely for his own advantage, an instance or two (out of many) shall demonstrate. Pag. 194. he brags he hath proved before, that these Doctrines had prevailed in the Church of Rome, by the unquestionable evidence of Protestant Authors. And yet in the place which he refers to, p. 174. he names no Author but Perkins, whose evidence (as he hath abused it) is not only questionable, but easily disproved out of the same Book. So, p. 251. he vaunts he hath proved Ethelwolf's Clergy, Popish, by the testimony of divers approved Authors, when as not one of his Authors ever spake such a word of them. Again, Pag. 302. he saith, The Remains

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mains of Christianity were shortly after here extinguished by Austin and his Sectators; which is as false a slander as can be invented, and which none but an hardened Quaker could have the confidence to affirm. Pag. 338. he saith, Tithes were not counted cognizable by the Civil Magistrate, or subjected to Humane Laws for many hundred years after they were given. And p. 339, they made no provision for the payment of them, save by Ecclesiastical Censures, for some hundred of years, which is a notorious untruth, since in the Saxons time the Kings Laws ordered punishments for the detaining them, and the Civil Magistrate and Ecclesiastical sate together upon such Offenders, yea the King's Officer inflicted a Penalty on them. See King Edgar's Laws, c. 3. An. 967. p. 1445. and William the Conqueror first separated these two Tribunals, which joynly proceeded against these Criminals before, and after too sometimes. Selden ad Eadmer. not. p. 166. and History of Tythes, p. 412, 413, &c. which Book since T. E. had seen, this must needs be a wilful untruth on purpose to abuse his credulous Quakers. The rest of his falsehoods are visible at first sight, as pag. 468. That some Quakers have been sentenced to be hanged purely for their Religion. Pag. 500. The Quakers never neglected to crave a blessing upon their Meat: which all the Nation knows to be false. Pag. 480. He impudently saith, That Parish which is able to give most wages may have their choice of Priests, take them upon trial, and hire which they will: Whereas  
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scarce any endowed Parishes in England have any such power to choose their Priests; for every one knows the Patron chooses for them; and God be praised, 'tis not Oliver's days now, when Loyal Patrons were deprived of their Right, and a giddy multitude chose generally the very worst; here therefore T. E. speaks falsely and gain.

And now I suppose the Reader is so fully convinc'd of T. E.'s honesty and integrity, that he will never see fit to trust him any more, and if he do deceive any after so fair warning on their part, and so full conviction on his, they deserve no pity: For by the Massilian Law, if a Slave deceived his Master above thrice, he was not to be punished; *Al. ab Alex. l. 3. c. 20.* But I cannot conclude this Section without a compassionate regard to the miserable Quakers who are led by such deceitful Guides, and take their very Falshoods for Divine Truths, and follow such dangerous Leaders as T. E. into the belief of the most absurd Opinions, and monstrous, yea, pernicious Errors: But I know they do not pity themselves; for 'tis the greatest part of their misery that they perceive not how miserable they are. However I shall pray for them, and say, Father, forgive them, they know not what they do.

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s. 6. **B**UT to return to T. E. the last part of his Character shall be his Ingenuity in answering my Book: 'Tis a Turkish Maxim, In War scruple not Deceits; and my (perhaps unchristianed) Adversary takes his measures from that Rule. I am sure he hath expressed nothing of a Christian or Man that enquired after Truth in this whole Argument, but only studied how to palliate his own mistakes, and avoid my Reasons, by Methods as unfair as unworthy; but the Artifices he hath used to these ends are so various, that I must briefly rank them under a few heads, with two or three instances of each kind, and so conclude this Introduction. First, I reckon his strange obstinacy and brutish resolution || never || Humanum to own the least mistake, how plain soever the est errare, matter be, or how full soever the evidence be a belluinum gainst him. Of which humour our Modern vero perse- Popish Adversaries also are observed to be, who errare. Cic. think themselves obliged to defend the most ridiculous Opinions of their Church, not so much because they believe them, as because they would wound their beloved Infalibility, if they should confess they have erred in any thing. And 'tis not improbable that T. E.'s inflexible obstinacy may proceed from a desire to be taken for Infalible among his Quakers, the credit of which would be much diminished by an acknowledged Error: But whatever his end be therein, I am sure all wise and good men account this base humour to be the effect of pride and folly.

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† Hoc vero superba  
*stultitia perseverantia*  
*est, Quod semel dixi,*  
*qualecunque est, fixum*  
*ratumque sit: Sen. de*  
*Benefic. l. 4 c. 38.*

and want of a good Education †; none being more tenacious of their Sentiments than they, who are least able to defend them. But 'tis all one to T. E.; Fimicus shall be no mistake, p. 6. and that about S. Basil he will answer, if confidence or equivocation can bring him off; though only with his own party; though all the world besides see his shame through the thin Cypress he casts over it, and though he betrays his dishonesty while he is covering his ignorance, yet he is above blushing. He shews his face is of the same Metal with the Censers, p. 257. in defending that notorious Solæcism of the Censers changing their property when their Form was altered: Doubtless no other sort of men would have so stiffly stood to that false and foolish Position, That the Charge of maintaining the Ministry is heavier now on the Christians than it was on the Jews of old, contrary to all the evidence of Scripture and Reason brought against that absurd assertion, contrary to the opinion and plain accounts of his great Masters, Scaliger and Selden, and contrary to the sense of all good Authors, p. 441. Was ever any thing more clearly made out, than the Quakers abuse of that place, Jer. 5. 21. The Priests bear rule by their means: which they expound of bearing rule by their Wealth and Estates? Yet since one of T. E.'s Friends is concerned in this absurdity, he begs for four or five pages together 505 &c. to help *Dum*  
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out of the mire, and strangely expose himself to censure, while he so weakly excuses a fault that had been far less if he had ingenuously confessed it: But we must not expect any *Volume of Retractions* from T. E. Inspired Quakers, as well as infallible Romanists, must never own an Error: And now we know his humour, if he deny all that is charged upon him, the World will not wonder at it, nor think him the less guilty of what is so fully proved. But secondly, Another observation concerning his manner of answering, is, That to evade a Reply to what is material and direct to the Question, he wilfully wrests some casual expressions, and diverts his Reader by large Harangues upon the sense he hath affixed to them, and so avoids what he cannot answer. Thus wherever he finds such words as these, The first Christians, The earliest days of Christianity, The very beginning of Christianity; which I never intended in any other sense than to signify the Primitive Christians, and the Ages before Christianity was generally settled; and so Mr. Selden useth the phrase where he speaks of the Laws of the Church for Tithes from the beginning of Christianity, chap. 6. p. 119. *See* T. E. p. 176, 178, 206. and elsewhere, strains rare contradictions out of them, and by strictly expounding them of the Apostles times, thereby evades all answer to the Primitive Practice, with which he knew he was pinched there. So, p. 197. my proof out of the British and Saxon Anti-

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quities of a certain proportion of Maintenance out of the Fruits of the Earth, enjoyed by Laws with great Penalties on every one to pay; he wipes off with this frivolous jest, That every one had not a crop of Corn growing: And then calling them my Conceits, he waves them, because he saw they proved a fixed Maintenance, settled by Positive Law before Ethelwolf's time, and utterly destroyed his voluntary and unfixed Donations. Again, when I proved an Office may be endowed as well as a private person, instancing in the Mayor of a Corporation, and T. E. who claim under different Qualifications but one hath as good Temporal right for his time as the other: Thus he blunders, by saying, He sees not how they can claim under different Qualifications, since each of them claims as he is Mayor, p. 335. Very strange! can he see no difference between his own Qualifications and those of a Mayor? Or doth he take himself to be the Head of a Corporation? If he inform me of what Town he is Mayor (though it be but of Gotham) I will promise him not to make him the Instance of a private person while he is Worshipful: But the freaks of this kind are too silly and too many to tire the Reader with; one more instance therefore shall suffice: How often and how vilely doth he strain the words of [Profits and Increase] which plainly signify, and are commonly taken for all that is reaped from the Land of one years growth, and applies them to the Advantage that is made of a Crop after Deduction of the Seed, &c. which  
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he knows is generally called [clear Profits] For  
in this idle Quibble he builds many seeming Ar-  
guments, p. 403. and elsewhere: Yea, p. 442.  
he puts this very trick upon the holy Scripture  
it self out of a gross ignorance, both of the O-  
riginal and the Jewish Custom, or else out of a  
wilfull mistake for his present ends, as I shall  
shew when I come to the Discourse: But here  
it shall suffice to observe that I dispute with great  
disadvantage against so shuffling an Adversary,  
who never stands his Ground, but returns seri-  
ous Arguments with Cavils, Quibbles, or Flu-  
shes of seeming Wit, and in the smoke of these  
makes his escape. Thirdly, Let it be noted that  
he generally inverts and confounds the order of  
my Discourse, skipping backwards and for-  
wards, to break the method of my Arguments,  
that so they may never appear in their full  
strength. Divide and Overcome, is Satan's  
Motto, and T. E's great Rule, which he pra-  
ctises so often, that leaving the fuller discovery  
of his fallacious dealing therein to the following  
Book, one or two Examples may here serve to  
justify the Charge. In his 18 and 19th Pages  
he begins with my 30th Page, and picks here  
and there till he come to pag. 34. and then runs  
back to pag. 26, 27, and 21. And again, in  
his 145, 146, 147th pages, he scrapes many  
loose Sentences together in this wild order, be-  
ginning with my 67th page, he goes back to my  
62, 63 pages, and then forward again to 68  
and 69, and then backwards to my 62, 63,  
and 64 pages, and then forwards once more to

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page 70, 71, 69, and lastly retires to my 62 page: The like tricks he plays in his 33 page, and in his 42, compared with his 44th page. Now what Book in the World might not be answered and rendered ridiculous at this rate? Or what honesty can he have, who where he is arguing puts this abuse upon his Adversary? The best carved Statue may become the Object of Laughter by placing the Head between the Leggs, and the Hands coming out of the back, and the Feet upon the Shoulders: He hath a bad Cause to manage who is driven to these shameful Artifices. Fourthly, I shall remark, That though his Book be very large, as to be three times bigger than that he answers, and though he can find room in it for long impertinencies, vain repetitions, and nauseous Tautologies, yet a very great part of what was Material and Argumentative in my Book, is wholly passed by in silence, and is so far from being answered, that it is not at all mentioned: To prove which, let the Reader of his Book observe, How much Paper he wasts about the Date of Popery, which is all of it impertinent to the main Question; for if Popery had obtained in all other Points when Tithes were given, (as 'tis very certain it did not) yet it doth not follow that Tithes were Popish, since many Orthodox Fathers of old, and many Reformed Protestants of late assert them lawful, and all Papists do not pay them, and many that do, think them not due by God's Law, and even in the worst times of Popery

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it self, many Orthodox Laws were made, and so may these Laws for Tithes be, although Popery should have generally been received when they were made. His ridiculous Nonsense of Tithes (which are the very Quantity of the Maintenance) being a Mode of that Maintenance, and a Circumstance of the Quantity, he repeats five or six times, 62, 63, 65, 83, 95, fearing his weakness would not have been sufficiently exposed, if he had published it but in one place. His little bits of Wit about the Man without a name, can find room to be repeated page 65, 86, &c. And the adding [only] to express, not alter his sense, can never be too often laid to my Charge, 116, 117, 146 (alias 154.) How many dead lists doth a definition of Popery (picked out of the friendly Conference) serve him at? And whenever he can say nothing else, that long Quotation, and all his mistaken Inferences, are dished up anew, p. 194, 216, 251, 289. The like use doth he make of a longer Citation about the Date of Popery, which we have twice over at full length, p. 370, 413. The Catalogues of Romish Ware T. E. doth often set out to sale, and they fill up his Shop-board rarely when he wants other furniture, p. 219, 225, 227, 228, 241. The fancy of Profits and Increase was too good to be seen but once, therefore we have it p. 403, 439, 442. and the abuse he put upon that Sentence of Tithes being due out of the Profits only, is so odiously repeated in his last part, that few pages but have a

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touch of it: Yea, his very Authors sayinge, if he think they be for his turn, shall be brought in again and again. Thus we have a Quotation out of FOX, p. 207, and 297. out of FULK, p. 90, and 147; and so he serves Willet and Perkins at every turn, which shewes him but a poor Retailer, who is forced to supply the poverty of his Stock by most ridiculous repetitions: And indeed his whole Book is so full of Tautologies and empty Words, that though the Reason of it be but small, the Bulk of it is very large, a drop of sense in an Ocean of Phrases, variety in expressing the same thing serving him instead of new Arguments, so that I may say (as St. Hierom of his Adversary,) He never blushes, nor considers what but only how much he saies. But that which we are most to admire, is, that a man so prodigal of Words and Paper, and so able (in his own Opinion) to shake Foundations; one that can find room to repeat impertinencies, should for fear of swelling his Pages, leave so great and so considerable a part of my Book unanswered, especially since he boasts he hath removed all my Poſt, I expected not to have found one piece of this Building undemolished, but behold some part of it not once attempted, That the Tenth is God's part, was proved by Scripture, Reason, and the Authority of St. Hierom, St. Augustine, and Plutarch, pag. 21, 22. but how many of these he leaves untouched the Reader may see in his 13 and 16 Pages. The

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Instance of *Judah's* acting agreeably to God's Will, without a *President Law* on Record, and that *All* *Afterward* ratified by a written Law as *Tithes* were, pag. 28. he wholly passes by. What is said in my 44 and 45 Pages, touching the manner of God's settling *Tithes* on the *Levites*, and what was Ceremonial in that settlement, this in his 63 Page he calls repeating my former groundless Supposition, and so quits his hands of it. The first also of those Lessons which, pag. 46. I say we learn from the *Levitical Law*, he so craftily conceals, pag. 65. that the *Quakers* (who read no more of my Book than he shews them) may think that he answered them all. The Proofs which are brought in my 72 Page, that voluntary Dedication gives God a new Title to the Tenth part, and is of such force as to make a thing God's that was not his before; this he takes no notice of in his 150 Page, but entertains his Reader with little frivolous Cavils. Two very plain Proofs out of *St. Hierom*, of *Tithes* paid in his time, in my 81, and 82 Pages he saith nothing against. Another very full proof of endowed Churches from the Council of *Gangra* at large, p. 86. he makes no Reply to, but only by saying *Tithes* are not mentioned by name. My 96, 97, and 98 Pages, which shew the Universal and free explicit consent of the whole Nation in *Ethelwolfe's* time, and of all Ages after, which is the main thing to prove the



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Voluntary Donation in England, he makes no direct answer to, but in his 211, and 212 Pages Quibbles on the words [ Grant and Confirmation ] and pretends we are enquiring of the time when Tithes were settled, when in Truth, we are disputing of the manner how they were settled, viz. by Voluntary Donation, which Post he is so far from removing that he never sets his mighty shoulders to it. My Instances, pag. 104. which prove that the faults of those to whom the Donation is made, do not invalidate the Donation it self, which fully answer all his pretences of the corruption of Ethelwolf's Clergy (were they as true as they are false.) To these he answereth and saith nothing. Again, my definition of a Freehold, pag. 184. shewed to agree to Tithes. My instances of the French Protestants paying Tithes to the Popish Clergy, and the Royalists to the men of the late times, p. 228. My examples of Primitive Emperours inflicting Penalties on Hereticks, pag. 237. with many more Arguments, Instances, Proofs and Authorities, are left untouched; and yet this vain man brags at every turn, Thus have I shewed, p. 57. Thus have I made it evident: Thus far my way is cleared, and nothing left unremoved, pag. 96. when indeed he removes nothing of that which he dares mention, but removes many things indeed out of sight by a base and cowardly suppression of them. And when he hath stript my Position of its proofs, and  
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not at all produced or answered them in their proper place (as for example that about the Tenth being Gods part in his 15 and 16th Pages) He quotes that Position naked (as he hath made it to his own shame) pag. 80. and being got (he thinks) far enough from discovery of his omission, wretchedly insults as if I shewed this only by saying so, and begged the Question; and pag. 81. he tells his Quakers that I say, We may believe it, we must believe it, we ought to believe it: As if I said nothing else, and did not give good reasons of the truth of that which I there affirmed ought to be believed. What base and vile shifts, what poor and unworthy Arts are these? Who can Interpret them otherwaies than the signs of a sinking Cause, and marks of a baffled Adversary, who was to say something that might by the credulous and easie, be taken for an Answer? Non enim ad omnes sed ad suos loquitur. Hieron. de Ruffin. Tom. 2. p. 310.

§. 7. **T**Hus have you seen T. E. in his own colours, and beheld the Description he hath given us of himself in this very Book; and truly, I think, the World will be satisfied by these evidences, that he hath not Humility, Patience, and Charity enough to make him a Christian, nor Learning sufficient to make him a Scollar, nor Ingenuity enough to render him a fair Adversary,

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ry, nor indeed Integrity sufficient to denominate him an honest man.

I have not willingly taken any advantage against him, but provided this by his own words and deeds, so that if we consider such a Book writ by such a man, this very Introduction is all the Answer it deserves or needs. Nor had I meddled with it any further, if the Book had contained nothing but what was his own: But for the sake of those Authors he abuses, and in pity to that sort of men whom he gulls with great Names, I will shew that he hath either mistaken his Authors, or else they themselves were evidently mistaken, and since I can both enlarge and confirm my former Arguments and Proofs, and give further evidence and strength to the Right of Tithes, I will clear and fortifie the Question as I go along through every Period, as not thinking it worth either my own or the Readers pains or time merely to be entertained with T. E.'s folly or falshood. 'Tis true, his Quakers and some of their pitch, have admired this Book as much, if not more, than they did the other. But Pliny's Maxim shews how little I need regard that, 'Tis certain (saith he) that man hath made the worst Speech, which they cry up the most, l. 2. Ep. 14. It is the Censure of wise and good men (the only fit Judges of these matters) which ought to be considered, and they do all discern the ignorance and ill dealing of my Adversary at first sight, and since they condemn him, I en-

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by him not the applause of his undiscerning Circle, who are not to be pleased (saith Plutarch) without displeasing the wiser sort of men. *De lib. educ.* 'Tis the judicious part of the World whose approbation I only desire, I would rescue the rest from their mistakes, if Arguments and fair Proofs will do it; if not, I need wish them no greater nor other requital than that they may manifest their own abilities by admiring T. E. still. I cannot think it at all strange that a man of his confidence and obstinacy should make a Second Reply, for he hath a Fore-head to deny the plainest Truth, and a face to affirm the most ridiculous or most evident untruth, he hath pride enough to incite him to it, and dishonesty good store to assist him in it, as he Answered my First Book, so may he Answer this or any other Book in the World, as long as he can Cavil, and shuffle, and Rail, he may pretend he hath Answered me, and some will be so vain as to believe him, but whatever seeming reason he hath brought (and doubtless we see all his store) I shall sufficiently disprove now, and then for his Sophistry and Railing, I may safely despise them, the one being not able to hurt my Cause, nor the other my Reputation, for as the Philosopher once said, when he was told an ill man reviled him, Let him go on (saith he) for none that knows us both, will either believe him when he speaks ill of me, or me when I speak well of  
of

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of him. And if the World will but pardon me for publishing this Answer against such an Adversary, I will promise, that till he get more Learning, and use more Honesty, I will never give it nor my self the trouble of any further Reply; and I perswade my self, if ever T. E. come to be endued with these two Qualifications, he will save me that labour by recanting his errors, and confessing his ignorance, which being so necessary to his pardon both from God and Man, I do, for his own sake, heartily wish, and for theirs also whom he hath hardened in their delusions.

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E R



*[The page contains faint, illegible markings.]*

the other hand, which is often the case, the number of the members is not so large, and the number of the members is not so large.

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## ERRATA.

Pag. 36. l. 23. r. *Quantity, how.* p. 41. l. 13. r. of *all*,  
which he said. p. 62. l. 15. r. Melchisedec's; *Quest.*  
in *Gren.* p. 69. l. 19. r. *Right and Title.* p. 86. l. 30, 31. r.  
(which are an *Act*, &c. — and *Fidelity.*) p. 91. l. 6. r. *just*  
*rights.* p. 111. l. 26. r. *Arch-Deacon of Rochester.* p. 139.  
l. 24. r. *sign that remission.* p. 159. l. 33. r. *the Apostles did.*  
p. 161. l. 19. r. *to mention Tithes.* p. 163. l. 21. r. *needed it*  
*not all.* p. 167. l. 24. r. *receive them then.* p. 183. l. 12. r. *first-*  
*fruits in Tenths.* p. 221. l. 12. r. *directly for that, the.* p. 238  
l. 8. r. *Anno 846.* p. 239. l. 20. r.  $\eta$  *χρεια.* p. 253. l. 1. r.  
*Lindesfarn.* p. 256. l. 7. r. *for such a work.* \* p. 271. l. 6. r.  
*of Sub-deacons.* p. 274. l. 10. r. *perpetual shame.* p. 279. l. 11.  
r. *that Proposition.* p. 320. l. 2. r. *Old.* p. 342. l. 18. r. *legal*  
*Title.* p. 400. l. 17. r. *obstinate confidence.*

Some other literal mistakes, especially in Authors  
Names, the learned Reader is able to amend, and  
therefore will easily excuse.

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I

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THE  
RIGHT  
OF  
TITHES  
RE-ASSERTED  
AND  
Vindicated, &c.

§. 1. **I**N all such popular Harangues as this of my Adversaries, nothing is more usual than for those whose intent is not to Argue but Seduce, to make use of Scripture Names, and such general passages as may be applied to any design: and these pass for Arguments with such as judge only according to appearance. But alas, how easie is it for any man to turn these darts back upon the man that throws them? *T. E.* fancies he hath done rarely to compare me to *Demetrius*, pag. 1, 2. but doth not consider that

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he and his fellow Quaking Speakers have their gain by railing against Tithes, and fearing to lose so good a Trade, like *Demetrius* and his fellow Crafts-men they stir up the common people to take their part, and endeavour to draw the multitude by false instigations to Mutiny against us. Sacrilege and Idolatry are sins near of Kin, the one taking away the Worship from the true God, as the other doth the maintenance of that Worship, and St. *Paul* Preached against Idolatry, as we against Sacrilege, and his success had undone *Demetrius* and his Fellows, as ours would ruine *T. E.* and his Brethren. They falsely accused the Apostles to the undiscerning multitude, who with more noise than sense, drowned the Arguments which they could not answer, and in their fury took no notice of the Magistrates, nor Laws of their Country; and herein *T. E.* is like unto *Demetrius*, so that his own instance falls on his own head.

Pag. 3. The like may be said of his *Dalilah* which this mighty *Sampson* (as he would pretend to be) may now claim for his peculiar Mistress, his *Removing Foundation-Posts*, in his Title Page, and his easie snapping of threefold Cords pag. 475. prove him *Hero* enough to be *Sampson's* Rival, and justify his pretences to such a fair One. But I am more thrifty of my own, and my Readers time, than to pursue him in all his insignificant Sallys; I shall remember that I have a *Quaker* to deal with, and they are wont to write most largely in those Sections where they can say

nothing to the purpose : and indeed their manner of writing is so well known, that I wonder *T. E. pag. 5.* should think that the Author of the Friendly Conference, could not tell, without the help of Divination, what kind of Adversary he was likely to have, whenas he knew his Adversary must needs be a Quaker, whose perfections are as well known as a *Cretians* were of old ; Railing and Confidence, Ignorance and Impertinence, Confusion and Rambling, being the Characteristical notes of a Quakers Discourse ; which my Friend might expect when he went about to persuade that sort of men, though he were a perfect stranger to *T. E.*'s personal Endowments : who also himself confesses more truth than he is aware of, when in his Letter to his Friend (a) about his first Book, he saith, (a) *Printed*  
*Had I not been a Quaker, I could not have given in Christia*  
*such an Answer ;* a saying very applicable to anity no  
this second piece, which is so full of mistakes Enthus.  
voluntary & involuntary, of reviling, falsehood, pag. 14  
arrogance, and malice, that indeed I shall easily grant, *None but a Quaker could have*  
*given such an Answer.* What tedious and  
nauseous repetitions have we in his 6, 7, 8,  
and 9 pages about Tithes being the Oyl to  
our Lamp, and Pay to our Army ; from which  
he draws (as he imagines) a cutting consequence, viz. *That our Lamps will not burn with-*  
*out Oyl, nor we Fight without Pay :* To which I  
reply, That the *Ignis Fatuus* of an Enthusiast  
(which only seems to burn, and is a fanta-  
stical Light serving but to amuse and mislead)



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is fed with that putrid matter of which it consists; but the Lamps of the Sanctuary, and the real Flames of Gods Altar, had Oyl and Fuel constantly provided for them; yea those Lamps *Zach. iv. 3.* had two growing Olives beside them for a regular and perpetual supply: And if I compare Christian Priests to Souldiers, and their maintenance to Pay, St. Paul did the same before me, *1 Ep. Cor. ix. 14.* and our Saviour affirms, these have a Right to their Hire, *Luk. x. 7.* yea, they ought to

(b) *Quis militat suis stipendiis? Vulg. 1 Ep. Cor. 9. 14. accipiens stipendia, ib. 2 Cor. 9. 8. stipendium enim, pro opere militie Debitum redditur, non donatur, Aug. Enchir. cap. 103. (c) unde Tertullianus, Mortis stipendium, vite Donativum: Lib. de Resurrectione. (d) Numb. 4. 3.*

have their *Military* stipends (b) and *Wages* which the Apostle himself took, *2 Cor. xi. 8.* Now Stipends and Wages were a settled certain Maintenance, and differed from the free *Donatives* occasionally given as an extraordinary reward to the *Roman* Souldiers; these being Bounty, the other Due Debt; to which St. Paul alludes when he saith, *The wages of sin is death, but the gift of God is Eternal Life, Rom. vi. 23.* (c) The *Levites* also of old were called, *The Host of the Lord* (d); So that the comparison is justifiable enough: and though Zeal and Allegiance bind the Loyal Souldier to fight for his Prince, yet doubtless he that stops the Stipends of the most faithful Army, may force many of them by dire necessity to forsake the Service at last: and it's thought by very wise men, That a Law strictly put in execution to prevent the giving of money, or other supply to Quaking Speakers, would make many of them return to their Looms and Shop-boards again, who by this Oyl and Pay which they get from their

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easy Profelytes, are inticed into a profession for which they are no way fit.

Pag. 11. T. E. makes no scruple to Droll upon a Sentence of the Gospel, to open the way for a silly Jest of his own, as if I had accounted the Parishoner (in the Friendly Conference) that *Swine* before whom my Friend was loth to cast his *Pearls*, but he forgets it was (before *Swine*) in the plural Number, that is, before (not that single man, but) the whole Herd of Quakers, those Creatures which tread all the Pearls of Reason and Scripture alledged against their wild opinions under their feet, a Drove that are all Cry and no Wool; it was before these, I thought my Friend was loth to throw that sort of Arguments, and therefore not my Friend, but T. E. and his Brother-Speakers, will prove the *Swine*-herds by this comparison.

Pag. 12, 13. After my Adversary had confessed that the Author of the Friendly Conference, *Durst not venture his Cause upon the Divine Right*, 1 Book p. 277. and said that, *He dares not undertake at all to prove the Divine Right of Tithe*, *ibid.* p. 283. yet he falls briskly upon disproving the Divine Right for six or seven pages, and draws up a formal conclusion against it, *ibid.* p. 283. Now this I justly blamed him for, and rightly called it a skulking trick, to fall upon a Question, which that Gentleman declared (and the Quaker confessed) was set by on purpose; And surely it is a vain boast to come in bragging, that he needs not stick to say he hath disproved that

which himself grants, my Friend never undertook at all to prove in that Discourse. That he did not undertake to prove the Divine Right in the Friendly Conference is true, but it is one of *T. E.*'s boasting falsehoods, that he durst not undertake it, for who can think (but a bold and ignorant man) that it is a daring thing, to justify a principle, which the most and best learned in all Ages have held against a few modern Schoolmen and Fryers, and their up-start followers the illiterate Quakers; was this such a terrible undertaking? surely no. But the bolder attempt was for *T. E.* to undertake to disprove it against all those great Names mentioned in my 16 and 17 pages, which he knowing not how to ballance, cunningly removed to page 25. and durst not let his Quakers see in the proper place who it was they opposed in this their Opinion.

§. 2. **P**Age 13. Many of his petty Fallacies and slighter Cavils I omit, that I may the more directly pass to the Question, about the stating whereof he wrangles throughout this whole Section. Now since *T. E.* confesses that my Friend, *Undertakes not at all to prove the Divine Right*, pag. 283. It is not to be expected that he should at all meddle with stating that Question in the Friendly Conference; and surely since I do undertake to prove it, I may take the Liberty to state this Question of the *Divine Right*:  
my

my Friend was proving Tithes were not purely Ceremonial (as the Quakers would have them) and occasionally said that those *Who insist upon the Divine Right of Tithes, derive them not from Levi but Melchisedec*: *Friendly Conf.* pag. 135. but he did not say as *T. E.* falsely cites him (2 Book pag. 14.) that the Divine Right of Tithes was derived from *Melchisedec*: for it is properly the Payment and not the Right which we derive from *Melchisedec*, that is, as I noted before, the Assertors of the Divine Right, do make the Original Right to be in God, as my Friend also observes pag. 134. But the first upon record to whom they were actually paid, was *Melchisedec* the Priest of the most High God, long before *Levi*; and since the Divine Right was first recognized in that payment made to *Melchisedec*, we derive them (saith my Friend) *i. e.* the payment of them, not from *Levi* but *Melchisedec*, which shews he understood the Question very well, though he intended not to stand upon it there: And makes it appear that *T. E.* wilfully or ignorantly blundered it by discoursing as if the Original Right were in *Melchisedec*, and as if we had claimed Tithes now as being originally due to *Melchisedec*: But since I have stated the Question, now, *T. E.* (that undertakes to answer me) must either prove I stated it wrong, which he doth not once attempt, or confess I stated it right, and then he yields me that point. And whereas he frivolously urges that, *To whom Tithes were originally due, was*



not the Question, pag. 15. I answer that my Friend did not directly and designedly debate this or any other Question relating to the Divine Right in his first Book, although he doth clearly enough speak of Tithes as a Homage to God, and his share of our substance, pag. 134. and afterwards also of *Melchisedec*, receiving them as a Priest, pag. 135. but it is not to be imagined he should formally and accurately distinguish the original Right, from the recognition of that Right, in a passage merely occasional; but T. E. (when he sets himself to disprove the *Jus Divinum*) may not be allowed to blunder these two, which are the main Enquirys to those who would fairly dispute of the Divine Right of Tithes, from the particulars of this first period before the Law. And if any will please to compare his first Book from pag. 277. to pag. 281. with my former Discourse, pag. 21, 22, 23. I shall freely leave it to them to judge which of us best understood or stated the Question. For the present I am content to give this brief Account of my proceeding: 1. That God hath a Right in general to all our Goods, *Psal.* xxiv. 1. 2. That he hath a more special Right to some part of them, which are or ought to be given to him back again in acknowledgement of his bounty, and as a recognition of his general right to all the rest, *Prov.* iii. 9. 3. That this part to which God hath a special right, cannot be more directly paid unto him, than by giving it for the maintaining of his Worship, and what is



so given is given unto himself, 1 Chron. xxix.

14. Now these things being plain from Natural Reason and Scripture, there are two things besides to be enquired after more immediately to prove the main Question.

1. *What part that is which God would have us give him by way of acknowledgement of his general Right.* 2. *Who must be Gods receiver of this part.* And of both these particulars, this period before the Law affords us clear proofs, for its manifest from *Abraham's* giving and *Jacob's* vowing the Tenth part, and God's recording both with Approbation, as also from the Testimonies of *St. Hierome*, *St. Austin*, and *Phuarch*, that the Tenth is God's part: And by *Melchisedec's* being a Priest, and receiving them as such; as also by the Heathen usage of bringing to the Priests that which was due to God, and *Origen's* Authority which we shewed in the former Book, that the Priests were to be his Receivers: Thus far we have gone towards proving the Divine Right of Tithes, which (because it is not our intent to Cavil about phrases, but to Dispute plainly) we have now laid down in other words to the former sense, and shall apply our Discourse to vindicate these two particulars, and our proofs of them from the Quakers shuffling exceptions, when we have remembred T. E. that *Dr. Willet* (an Author who ought to weigh with him very much) asserts both these Propositions, saying, *The Tenth is the Lords; And by him it is assigned to his Faithful Ministers.* Synopf. papismi p. 312.

§. 3. **P**AG. 15. If the Quaker either had a good Cause to manage, or were a Man that feared to do unjustly, we should not find him so often shuffling and dealing deceitfully, such Tricks being the certain indications of an ill man, and a bad Cause: My first Position he gives in words of his own framing thus, *The Tenth belongs to God*, and to this he replies, *That all belongs to God*, citing *Psal. xxiv. 1.* Which is no other than what I affirmed pag. 21, only he knows we are not disputing about God's general Right to all (of which that Verse in the *Psalms* speaks) but of a special right to some part of our substance to be given in acknowledgment for his bounty in bestowing the rest upon us; and therefore it is fallaciously done (and very like himself) to confound these two, merely to delude his Reader. And whereas he saith I mis-apply *Prov. iii. 9.* and pretends I restrain it to the payment of Tithes, he speaks falsely; for I do not so much as bring in that place to prove the payment of a Tenth part, but to prove that principle of natural reason, "*That we ought to give God some part of his gifts back again as a token of our gratitude*;" Which natural Law I affirm is set down in Scripture, *Prov. iii. 9. Honour the Lord with thy Substance*; and this Rule of giving some part, I there say, obliges Christians as well as Jews: As for what part or proportion this must be, I do not enquire till afterwards; so that T. E. deceitfully

ceitfully sets down this Proposition too soon, and when I am proving one thing, he makes his Quakers believe I am proving another, which is meer collusion. But that this place *Prov. iii. 9.* doth prove the thing I brought it to prove, viz. *That we ought to give God some part of his Gifts back again, &c.* is manifest from the Scripture sense of the word *Honour*, which signifies to give some part, especially to our Superiours, to those whom we Honour; and indeed such gifts to our Betters are Honorary presents, and tokens of the true respect we bear towards them; thus our Saviour himself Expounds the V. Commandment, *Honour thy Father and Mother, &c. Matth. xv. 4, 5, 6.* viz. as implying we should give them some part of our Estate (a), and so Interpreters (a) *Honor, Donum intelligitur: Hierom. in Matth. xv.* Expound the words in many other places (b). And indeed this place Expounds it self; for to clear it, that the meaning of *Honouring God with our Substance*, is, by giving some part of it unto him, it follows. *And with the First Fruits of all thine Increase. Now* (b) *Numb. xxii. 17, 18. Ac. xxviii. 10. 1 Tim. v. 17.* how can we Honour God with First Fruits, but by giving them to his Honour? The Quaker therefore is he that mis-applies this place, when he interprets it, *Of using the Goods of this World in Gods holy fear, and to his Glory*; since Solomon is not speaking of what man uses, but what is to be given to God for his part; and the Promise that follows in the next Verses, *verse 10. So shall thy Barns be filled with plenty, &c.* is so like to that of *Malach. iii. 10.* of the plenty which God

God will give to them that pay their Tithes; that it made many Ancient Fathers and Councils apply this very Text of *Proverbs* to the matter of Tithes; though I did not urge it so far in this place; but only for some part. And T. E. grants that God might reserve some share to himself, but is not *satisfied* that he did; because he finds no such appropriation of a Tenth part in Scripture, excepting only in the time of the *Levitical Law*, and therefore he calls for a positive Precept of Scripture, either before that Law, or since the Dissolution thereof; this is the sense of his 16 and 17 pages: To which I reply, That 'tis hard to *satisfie* a man resolved before not to believe any thing contrary to the Position he undertakes to maintain, but others are *satisfied* that God did reserve some share to himself, and that the Tenth is that share. *The Lord of all* (saith an Ancient Author) *not only retained some persons to Minister to himself, as the Ministers of the Church; but also some things as Tithes for the Sustenance of his Ministers; and some part of Time, as the Daies for solemn Religion*; Hug. de S. Victor. reg. 5. And as for Scripture, if there be no positive Precept before the Law (no more than there is for putting an Adulterers to Death) yet there are positive Examples before the Law, which being the practices of men inspired and guided by Revelation in all their solemn Acts, those Examples of such persons are as plain indications of Gods pleasure, as Precepts are. They that God directed, gave a Tenth part, and



and that is recorded ; nor is there any mention of any other proportion given in this manner before the Law. Therefore the Tenth was that part which God would have them so to give : And 'tis very strange that Quakers should allow nothing to be done agreeable to God's Will without a positive Command in Scripture, since they profess, *To have things revealed to them from the Lord, which are not to be found in the Scriptures particularly, not so much as by consequence,* G. Keish. Immed. Revel. p. 5, 6. And if a poor Quaker have this priviledge now, will he deny it to so great and so certainly inspired Patriarchs then, viz. to *Abraham* and *Jacob* ? Now if it were revealed to them from the Lord, that the Tenth was that part, then it was God's Will they should give that part, and God cannot be supposed to choose and direct that part which he hath no Right unto. To be sure any sufficient indication of God's Will to have that part given before the Law, will prove God's Right to that part before the Law, and we think that the recorded Example of two inspired Patriarchs fixing upon the Tenth part, sufficiently shew, that was the part God would have, since we cannot without great absurdity suppose they acted contrary to God's Will in so solemn Acts as these were ; and if they acted agreeable to his Will, then these Acts declare God's Right to a Tenth part before the Law ; and if we would give such a part as God will be pleased with, we must follow their Example and give the  
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the same part they gave: By this it appears how fallily T. E. speaks of me; when he says, pag. 17. That *I take it for granted, the men of Abrahams age knew by the Light of Nature, that the Tenth part belonged to God.* Whereas I only said, the Light of Nature teaches that some part was due, see my 21 pag. and pag. 24. But that the Tenth was that part, I alwaies make to depend upon Revelation. And again, he wilfully prevaricates in pretending God had left the Maintenance of his Gospel Ministers to the doubtful construction of a single Act of *Abraham's*, or a Vow of *Jacob's*: for though that was all which was recorded concerning the Gospel Maintenance then, and was enough to be said of it so many hundred years before Christ came, yet we have many more proofs of it now, besides what was set down in that period, viz. The Lords fixing the same part under the Law, and our Saviour not repealing that part, as also several Texts of the New Testament expounded by primitive opinion and practice; all which put together do sufficiently prove God's Right to the Tenth part; but of these in their proper periods.

Pag. 18. Instead of replying to what I brought in my 22 page to prove the Tenth to be God's due, the Quaker skips into my 30, 31, 33, and 34 pages, to glean up some Sentences relating to another matter, and wickedly applies them to this position; for I am there speaking of the frequency of *Abraham's* paying Tithes, and of the particular manner how

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he came to know the Tenth to be God's part, whether by a Revelation to himself, or by a Tradition grounded upon some Revelation to a former Patriarch, &c. Now I thought it enough to render it *probable* he paid Tithes often, and paid the Tenth part either by Revelation immediate or by such a Tradition, and having proved before by certain Arguments, *That the Tenth was God's part*, I thought it not necessary to be absolute and positive in these less material Questions. Now my unworthy Adversary takes what I spoke of those things which were only to be *made probable*, and applies them to this Main Question which I proved by positive Arguments and Authorities; and then *pag. 19.* he foolishly thus insults, *He argues from may be so must be, and from must be so may be back again*: Whereas concerning the Tenth being God's part (which is the present Question) I argue by plain and positive proofs, as will appear by the little evidence he brings against them: for having argued *First* from the Example of two inspired Patriarchs, I prove it *Secondly* from *Levit. xxvii. 30.* where before there had been any positive Law for paying Tithes, God declared his right to them, saying, *All the Tithes of the Land is the Lords*: I am sure T. E. in his 192 page, will not allow such a Proposition, to be a Constitution by precept; and if so, then this is a declaration of God's Right to the Tenth part long before any written Law about the assignation of them to *Levi. Roberts, Reven. of Gosp. pag. 11.* ( out of

of Perkins his Digest) proves, that this claim in *Levit.* was in the second year after they came out of *Egypt*, *Levit.* xxviii. 34. but the assignation to the *Levites*, *Numb.* xviii. 21. was not till about the thirtieth year, i.e. not till twenty eight years after this claim; And therefore God asserted his Right to the Tenth part long before the assignation of it to the *Levitical* Priest-hood, and the Tenth was his Right and Due before the Law: And some think these words [—is the Lords] do refer to *Abraham's* Example, and *Jacob's* Vow, that is, you may learn sufficiently from those Acts of your inspired Predecessors, that this part is mine; that this is the part you ought to give me, I taught them to give it, and *Jacob* your Father by my direction vowed he would give me Tithes of all I should give him (in which Vow some include what God gave his posterity). Therefore though you may either use the other parts your selves, or make any of those parts mine by special Vow, creating a new Right by such a Vow (of which all the former part of this xxvii Chapter of *Levit.* Discourseth) yet *All the Tithes is mine already, and you cannot create me any new Right to that by a special Vow*: Let any man Read and unprejudicedly consider the place, and he cannot deny this to be the plain sense of it.

My Third Argument is *Exod.* xxii. 29. which is the first time they are mentioned in the Vulgar Latine (a Translation quoted with approbation by T. E. pag. 41. when it serves his Turn) *Decimas & primitias tuas non tardabis reddere*

reddere, Thou shalt not delay to offer thy Tithes and First-Fruits; and the Hebrew word there used, signifies *Tithes*, as much as *First ripe Fruits*, for literally it is in the Hebrew, *Thy fullness*, or *Thy abundance*, i. e. that which is more than God allows thee for thy own use, which may as justly be applied (as *St. Hierom* doth) to Tithes, as to First-Fruits, and indeed comprehends both: and since the oldest Latin Version, and the Fathers understand this place of Tithes, to which the Original also well enough agrees, we conclude that God here also supposes a Tenth part due to him, and bids them not delay to give it to him, and this was before the Tabernacle was reared, or the Levites chosen, so that even without respect to the *Levites*, God's own Right is declared. And *Fourthly*, To shew that the assignation of them afterward to *Levi* had no waies taken off from God's Original Right, I noted (in my 22 page) that *Malach. iii. 8.* those who paid not this Due, are said (not to Rob the Priests, but) *To Rob God*: And *Fifthly*, I added the Authorities of *St. Hierom*, and *St. Austin* for the Christians, and of *Phurarch* for the Gentiles, that *The Tenth was God's special Right*: To all which *T. E.* saies not one word, and consequently confesses the Truth of this Position is not to be gainayed. If it were needful, I could shew (a) *Philo* him how *Philo* affirms, *That the Tenth is pro-* pag. 437.  
*per unto God* (a); or send him to *Mr. Selden* edit. Paris.  
(b) to learn that the very Gentiles knew, (b) *History*  
*The Tenth was that part which did properly be-* of Tithes, c. 3. p. 31.  
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long to the Deity. I could cite him many Protestant Authors affirming the same thing: Junius saith, *The Tenth were sacred to God by all Laws ever since any thing is remembered (c).* Calvin calls the Tithe, *The proper Right and Royal Tribute of God (d)*; and sure Popery did not sway these mens judgments, but what they assert, we shall more fully shew presently (b. 47.) to be the common opinion of all mankind, except these *Antipodes* of Humanity, our Modern Sectaries: Thus then we have proved, and T. E. hath not disproved our first Position, viz. *That the Tenth is that part which God reserves for himself to be given in acknowledgment of his bounty in bestowing all the rest upon us.*

(c) Junius  
in paral.  
l. 3. c. 7.  
(d) Calvin  
Expos. in  
Levit. 27.  
30.

PAGE 21. As he deals with my first, so he doth also with my second Proposition, viz. *That the Priests ought to be God's Receivers*; for he runs from this Question to the former, viz. whether God have any Right to the Tenth part or no, which he boldly and falsely supposes he hath disproved, whereas in its proper place he slips almost all my proofs of it, as he doth also my proofs of this, spending his time in rambling impertinencies, pag. 22, 23, and 24, falling into frivolous Cavils at some passages in my 30, and 31 pages (while he should be answering my 22 and 23 pages) and in his 23 page he is run back to my 16 page, which is nothing else but to confound his Reader, that under the protection



tection of that confusion T. E. may run away from that which he cannot Answer. But I shall pursue my Question and despise such cowardly subterfuges. Since God hath no need of this part for himself, *Psal. xvi. 2.* Reason teaches to give it to those immediate Servants of his, who are employed in his peculiar service, and are to be maintained at his charges, and that is his Priests, who are therefore called Clergy (as St. *Hierom* notes) (e) *Matthi.* because they belong more especially to God, *x. 40.* and are to live upon his portion. *Epist. ad Nepot.* And being his Embassadors they represent him upon Earth, and what is done to them, he takes as done unto himself (e); To which, if we add that *Abraham* before the Law gave this Tenth part into the hands of the Priest of the most High God, and (as *Calvin* saith,) *What he owed to God, he payed into the hands of Melchisedec.* *Calvin Com. in Heb. vii. 4.* it will shew that the inspired Patriarch understood the Priest was God's Receiver; and that *Jacob* believed the same thing, and acted accordingly, appears from what *Mr. Selden* says, *It may be thought that Jacob paid his Vow into the hands of Isaac the chief of the Family then living, as a First-born, and a Priest also.* *Hist. Tithes, Chap. 1. pag. 5.* To this I added before further proof from God's assigning this Tenth part to the Priests under the Law for the time being, and the Gentiles constant usage of bestowing on their Priests what they vowed to their Gods, together with *Origen's* plain Testimony of the

(e) *Matthi.*  
*x. 40.*  
*Piissimus*  
*Dominus*  
*communem*  
*sibi cum*  
*servis suis*  
*honorem si-*  
*mul & con-*  
*tumeliam*  
*facit, Salv.*

## The Right of Tithes

Christians being of the same opinion : All which *T. E.* never once Questions, so that I shall not need say much more, only to observe; That as soon as ever we read of a Priest in Scripture, so soon we read of his receiving this Tenth part; and *St. Paul* proves *Melchisedec* was a Priest by two Arguments, one by doing the duty of a Priest, viz. *Blessing*; the other his receiving the Reward of a Priest, viz. *Receiving Tithes*, Heb. vii. Now if the receiving God's Tenth part were not appropriate to the Priest-hood, how could the Apostle prove from *Melchisedec's* receiving Tithes, that he was a Priest? If there be any force in that Argument of *St. Paul's*, it must rely on this principle, That the being God's Receiver of his Tenth part, is annexed inseparably to the Priest-hood: However therefore our Quaker be so bold to deny this to be a principle or dictate of right Reason, yet Authors of the highest note think otherwise, and our own Masters of Law are of my Opinion, for my Lord *Coke* upon those words in *Magna Charta* [*Concessimus Deo*] saith, *Whatsoever is granted to Gods Church for his Honour, and the Maintenance of his Religion and Service, is granted to and for God. Quod datum est Ecclesie, datum est Deo.* Instit. 2. p. 2. I conclude with the Testimony of *Philo*, who clearly asserts this and both the former Propositions, *It is agreeable enough to God to take some part back again from him that he hath blessed, in Token of Gratitude for his infinite bounty and benefits, and seeing he that is the*  
*giver*

giver of all good gifts, stood in need of nothing, it pleased him to translate that honourable Maintenance unto those that wait at his Altar, and Minister about holy things, that they might take that provision without being ashamed, as not coming from men, but from God, the Universal Benefactor. Phil. de sacerdot. bon. The rest of this Section being nothing to the Question in hand, but Cavils about paying and giving, which are Answered in their proper place, we will not interrupt the Argument so much as to Answer them here.

§. 5. **P**Ag. 26. Thus far then we have clear proofs, that the Tenth is God's peculiar Right, and that his Priests are to be his Receivers: now as to the manner how *Abraham* came to know this, I conceive it is not necessary for us to be positive and particular, further than to prove that he was taught it by God: And either he or some of the preceding Patriarchs fixed upon this Tenth part meerly by their own fancy, or else they were directed to fix upon it by Revelation: now that the Tenth part was not chosen by human fancy, is evident, in that God himself did make the same choice under the Law, and it is a great disparagement to the Divine Wisdom to follow the weak and shallow guidance of human Invention; It is not likely, That the Majesty of God would have fixed this proportion, unless it had first proceeded from himself. Nor is it imaginable how this part

C 3

should

should be so generally fixed on among all Nations, unless it had sprung from a Divine Original; Human Fancy being various and uncertain, so that if it had begun from thence, some Nations and Persons would have had one part, some another, *For how could Man know* (saith an Ancient Author) *that he must give the Tenth rather than the Ninth, the Eighth, or any other part of his Goods, if he had not been taught it at first by God?* Hug. de S. Vi&or. l. i. par. 11. c. 4. But still *T. E.* calls for a written Command antecedent to *Abraham's* practice, to which I replied before, that *Abraham* himself could not be directed by a written Command, because no Commands were written in Scripture till long after his Death, nor were any of those which *T. E.* brings in pag. 27. written Commands to the parties concerned, but Immediate Revelations written down afterwards, and He is to ask Almighty God, not me, why this Revelation was not recorded as well as some others: It is enough for my purpose that many things were done well then, & agreeably to Gods Will, even in great instances; and yet no antecedent command is recorded concerning them; I gave my Adversary two plain instances, first of the Sacrifices which *Abel* and *Cain* offered in my 25 pag. next of making Adultery Capital, in my 29 page, both of them Acts agreeable to God's Will, both of them believed generally to have been done by special Revelation, yet both of them without any preceding written Command, and both of them afterwards ratified



tified by the Divine Law. To these *T. E.* makes no reply, and therefore till he give a reason why these had no Antecedent written Command, I am not oblig'd to give any why there is none upon record for *Abraham's* paying Tithes: and all his Cavils may be urged against the blessed Enditer of this Sacred History for omitting those as well as this: I shall only note that the Reader may please to consult my 25 and 26 pages (for the most part yet unanswered) and I doubt not but he will be satisfied, That God's Will, which is a Law, might be sufficiently declared to *Abraham*, although no positive Precept antecedent be upon record. And withal I would advise *T. E.* to be cautious how he Questions whether this passage of *Abraham's* paying Tithes had relation to future Ages. (as he doth in his 30 page) since *St. Paul, Heb. vii.* plainly assures us, it had relation to the age of our Saviour, and applies it accordingly: Nor must he be too bold in comparing the larger and shorter relations of *Genesis* together, as if they were alwaies the most material, which are related with most particular circumstances; for so he may fall into this absurdity, that the wooing of *Rebecca, Gen. xxiv.* is more material and hath more relation to future Ages, than those two Promises of the *Messias, Gen. iii. 15. Gen. xlix. 10.* or which is worse, into the vile blasphemy of censuring the Wisdom of God, who writ these things as he pleased larger or shorter, for reasons best known to himself.



§. 6. **P**Ag. 30. 'Tis strange impudence for T. E. to ask me in one page, how I dare say, *He paid*, when God saies, *He gave*, pag. 30. and yet himself confesseth, pag. 31. That God also expresse himself by the word *Paid*; If St. Paul say, *Levi paid Tithes in Abraham*, vers. 2. surely *Abraham Paid Tithes for Levi*, for how could *Levi* Pay by *Abraham's* giving Tithes? And for T. E's poor and shallow Criticisms, they rely only upon a Translation, and have no Foundation in the Original, for *Heb. vii. 2.* where we read, *Gave a Tenth of all*, it is in Greek, ἀργαρίην ἀπὸ πάντων ἐπέσχεον, *He set out, or separated a Tenth of or from all the rest*; which if it be not paying Tithe, then our Laws do not command any to pay Tithes, since they only require the occupant thus to separate and set out the Tenth, and yet this is accounted paying in Law, and T. E. pag. 465. proves that he that so sets out his Tithe, actually pays Tithe, and if so, then (by his own Argument) this word notes *Abraham Paid Tithe*: 'tis true also (vers. 4. ἔδωκεν) *He gave*, is used, but 'tis with relation to ἀνεσθίεντα (of which more hereafter) and again, vers. 6. ἀδεύσατο is used, which implies *Melchisedec* actually Tithed *Abraham*, and we do not use to say, we Tithe a man, that gives us a Tenth part of any thing freely where we had no Due to it; besides, vers. 9. the same word in another voice ἀδεύσατο, is Translated, paid Tithes, and if that be truly Translated,

Translated, then the Active word *δίδωμι* signifies to pay Tithes: and consequently there is in effect three times implied, a paying of Tithes, for *once Giving* of Tithe: but I need not urge the Original, which clearly gives me the advantage (as any but illiterate Quakers know) since 'tis certain that the word [Give] is often used in Hebrew and Greek, for the paying of a just Due: *Psal.* xxix. 2. *2 Chron.* xxxi. 4. *Josh.* vii. 19. were my former instances, to which I add now *Deut.* xxiv. 15. *Thou shalt give him his hire;* so *Matth.* xxii. 17. *To give Tribute;* as also *Luke* xxiii. 2. so *Matth.* xvii. 27. *Give unto them for thee and me.* I choose these Instances out of very many, to shew the folly of that pretence of my Adversarys, viz, that to Give is so to be understood only where the Due is certain and unquestionable, for in the Case of *Cesar's* Tribute, it was questioned by many; and as to that, *Matth.* xvii, which is believed to be the Tribute for Repairs of the Temple, our Saviour first proves it was not his Due to pay, as being the Son of that Heavenly King, to whom this Tax was paid; and as a Son, he shews he was free, yet he paid it afterwards, lest he should offend: A good Example for our stubborn Quakers, who if they could clear themselves by Arguments (which they never can) yet ought to pay this Tribute while the Laws for it stand in force, and Authority requires it. I conclude, that 'tis weakly done to build an Argument upon an Ambiguous phrase, especially where *St. Paul* varies the

the word in every Verse, as he hath occasion to speak of it; and for his pretending the Due as to Tithes is not certain, that is but mean begging the Question, and I have now proved the Due certain, and with the Apostle doubt not to say, *Abraham* set out and paid his Tithe.

s. 7. **P**Ag. 33. *T. E.* being conscious of his Bad Cause, knows it is not to be defended by fair dealing, and therefore continues his old usage of disjoynting my Discourse, and here from pag. 30. he runs back to my 26 page, wherein I brought in several Instances and Authorities for the early and Universal payment of Tithe, even annually among the *Gentiles*. To shew the general belief of that Position, viz. *That the Tenth is God's part*, and by the spreading thereof so far and wide, I inferred that this Tradition must needs come from some of the earliest Patriarchs, who (as it is proved before) could not learn this Universally received Number from any but God himself: And therefore these concurrent Suffrages and Examples do wonderfully strengthen our Opinion, That Tithes are Due *jure Divino*. Four of my Instances, viz. of the *Tyrians*, *Carthaginians*, *Syphnians*, and *Romans*, he poorly passes by, as being only particular, but he must know that the Instances are such as take in a great part of the old Civiliz'd World, being Examples of some of the most flourishing

ing people in those Ages, the *Phœnicians* of Asia, the *Carthaginians* of Africa, the *Syphnians* for the European Greeks, and the *Romans* for the Western World: But we must pardon T. E. if he say nothing against them, because he could find nothing in Mr. Selden to object; but what he can get by Retail from him, that we must be content with, in a matter of which the Quaker himself knows nothing at all: *Sine pennis volare haud facile est. Plaut. pœn.* We must not look for Grapes to grow upon wild Brambles. Two of my general Instances therefore out of Mr. Selden's attacks,

1. That of *Didymus* cited and confirmed by *Harpocratian*, two Ancient Grammarians among the Greeks (though T. E. mistakes Selden, as if he meant *Suidas* for one of them) These two assure us, *It was a custom of the Greeks to Consecrate the Tithes of their Spoils and their Gains to the Gods*: But Selden saith, *If they mean that all the Grecians did so, and of every kind, they Deceive much and are Deceived.* So that he will have us understand them, as speaking, *Of what was sometimes, and by Vow, or special Thanksgiving done.* Hist. Tithes, chap. 3. pag. 32. To this I shall Reply more largely, because Selden's great Name makes his word pass for Oracles with some, even when he Deceives and is Deceived, which I shall prove doth often happen in this History of Tithes, a Subject wherein Ill Will and Prejudice hath so blinded that otherwise Learned Man, that he runs upon innumerable absurdities and mistakes. But to the particular



ticular now before us, 'tis very strange arrogance for a late Writer, to give the Lye to Authors so very ancient, and so deservedly famous, in a matter concerning the Custom of their own Country, and the times but a few Ages before them, which they must needs know far better than he; And 'tis an insolent imposing both upon those Authors and his own Reader to say so imperiously, *We must understand them*, just as he will have us, and just so as will sute his Notion, whether they meant so or no. What Authority may not be thus evaded? They speak generally and without limitation, but we must understand them with limitation, for if they mean as they speak (Mr. Selden tells us) they are deceived, or else he is so, and whether is more likely? *Didymus* speaks not of any particular Custom of one City, like Mr. Selden's most improper parallel of offering on Wedding Daies, but he saith, *It is a Greek Custom*, or *a Custom of Greece*; as if I should say, it is *An English Custom to pay Tithes*, could any man of tolerable modesty say, I must be understood of what was sometimes done and by Vow? and yet even so, if the *Greeks* when they did give any thing by Vow or special Thanksgiving to their God, gave it in the proportion of a Tenth, it still proves my assertion: but no reason (except Mr. Selden's Will) appears for so restraining this Testimony: Nay out of his own mouth much may be taken to prove it was a general Custom among them to pay Tithe, *For the Gentiles* (saith



(saith he) *It is true they were very devout in giving their yearly encrease to the Honour of their Deities according as the Attick Law, received as is thought from Triptolemus, and seconded by Draco, commanded.* Review. pag. 457. Here he confesseth that the Gentiles in general, especially the *Grecians* (who only were concerned in the *Attick Law*) gave their encrease to their Gods, and did this yearly, yea and were very devout in this matter, that is; no doubt, in large and exact proportion (a Tenth at least) and all this they did according to a Law as old as *Triptolemus* (whom *Porphry* out of *Xenocrates* positively affirms to be the maker of it. *De abstin.* l. 4. §. 22. mihi p. 178.) that is as old as *Moses* Law at least, for *Triptolemus* lived *An. Mund.* 2414. therefore not sometimes, and Arbitrary upon occasion: and that the proportion was a Tenth, we gather first because *Porphry* calls this encrease *ἀμύχαι*, the very word that he and other *Greeks* use for Tithes, and no other proportion occurs above once in all the History of the *Grecians*. Besides Mr. *Solden* mentions the *Siphnians* yearly Tithes, pag. 30. And yearly First-Fruits in Tenths sent to *Delos*, *ibid.* He tells us the *Lydians* Goods were necessarily to be Tithed to *Jupiter*, pag. 31. and speaks of *Pallas* her Tenth of all confiscate Goods at *Athens*. *ibid.* and of the Tenth part of *Lesbos* consecrated to the Gods for ever, pag. 33. as also of *Pisistratus* his Imposition of a Tenth upon everyone of the people for the use of the Gods in general, *ibid.*

These

## The Right of Tithes

These and many more Examples of Tithes of Spoils, his own History affords: To which I only add, that *Xenophon* frequently records, how constantly he dedicated his own yearly Tenth to *Apollo* or *Diana* while he was in *Asia*; and how other *Grecian* Commanders had usually done the like. And more particularly he relates, That he built a Temple for *Diana*, and endowed it with a constant yearly Revenue of the Tithes of the Fields adjacent. *Xenoph. de exped. Cyr. l. 5. p. 274.* Now put all this together, yearly Tithes, Tithes necessarily to be set apart, perpetual consecrations of a Tenth part, a Tithe imposed by the Princes order upon every one, Tithes customarily and constantly paid, and Temples endowed with the Tithe of Fields, and is not all this more than *What was sometime, and by Vow or special Thanksgiving done?* Nay is not this a fair induction to prove it a general Custom of the *Grecians*, yearly to consecrate the Tithes of their Spoils and other Gains to the Gods, since so many several Countries of *Greece* are upon Record noted so to have done? I am sure there are few *Grecian* Customs which any Histories now extant so fully and particularly make out: We conclude therefore that ordinarily and constantly the *Greeks* paid Tithe to their Gods, and consequently had learned from their first Lawgiver that *The Tenth was Gods proper part*, to which he had a peculiar Right.

Secondly,

Secondly, Whereas *P. Diacōnus* out of *Festus* saith, very fully to confirm this Truth, The *Amiens* offered every sort of Tithe to the Gods: *T. E.* objects thus, It is rejected both by *Scaliger* and *Selden*; which is false, for neither of them wholly reject it, only *Scaliger* fancies it is mangled (a), and *Selden* saith it is too boldly contracted (b), but these two great Wits cannot agree how it should be mended; *Scaliger*, for (*Dij*) to the Gods, puts in, *Uni tantum Herculi hoc fiebat*: which proves my opinion as well as *Paulus* his words did, for if the Ancient *Gentiles* offered every sort of Tithe to any God, it suffices to justify my Assertion. But when Mr. *Selden* comes in, he tells us, *Scaliger* mends it not enough, and if it were as he would, it had been false: but why then (good Mr. *Selden*) was *Paulus* well Taxed for this by the Divine *Scaliger*, if this Divine Taxer deserve to be Taxed for his Taxing, and if he mended it instead of mending? The truth is, *Scaliger* mended it not enough for Mr. *Selden*'s purpose (who measures all things only as they make for or against his own opinion) and therefore he writes two Pages, 27. and 28. to prove that the *Romans* offered Tithes to other Deities, besides *Hercules*, which makes his Divine *Scaliger* humane again, for *Humanum est errare*; And now Mr. *Selden* must mend [*Vereres*] and [*Decima quæque*] too, for this only reason, because else it will disagree with his Hypothesis, but the best way is to believe neither of

(a) Casti-  
gat. in Sex.

Pomp:

Fest. verbo

[Decima]

mibi, p. 55.

(b) Hist.

Tithes,

c. 3. p. 29.

of them till they be agreed: For indeed neither of them produce any better Copy of *Festus*, then *P. Diaconus* had, to justify their conjectured alteration; neither of them ever saw *Festus* his Original which *P. Diaconus* made use of; he knew better than either of these late Criticks what it was there; and having no ends to serve, is likely to be as honest as either of them. And if there be some corruptions in other places, yet there is none here, because *P. Diaconus* saith but the same with the *Greek* Grammarians before; and the same with that great Master of *Roman* Story *Dion. Halicarnassens* who hath [*Τῶν Θεῶν*] to the Gods in general, three times at least where he speaks of Tithes in that History. And it is very evident that the Heathens having many Gods, paid Tithes sometimes to one God, sometimes to another, but alwaies to one God or other: which confutes *Scaliger's* correction of paying only to *Hercules*. And for *Mr. Selden's* bolder contraction, No such matter (saith he to *Pantus*) some did, and only sometimes, and of some things, and most usually to some Gods only. This he himself doth sufficiently confute. Do we not read in him of such As Tithed their Substance or Estates, page 25. and of the giving the Tenths of their Fruits.

(a) Where *Mr. Selden* runs into a great error, in say-

ing *Reccaranus* taught them to give Tithes to *Hercules*, when as his very Author makes *Reccaranus* to be *Hercules* himself. *Cassius ap. Aurel. Victor.*

Gain,



Gain, pag. 28. and the Tithes of their Goods, ibid. Now are not all these put together as large as [*Decima quaque*] every sort of Tithe? And if (as Mr. Selden Expounds it, pag. 26.) *Uti decimam partem Herculi polluceam*, signifie, The spending a Tenth on Hercules; then pollucere may be construed to make a thing sacred; Scaliger makes it out to signifie the way of making Hercules Tenths Sacred. *Castigat. in Fest. pag. 137.* and *Festus* speaking of what things may be thus consecrated (as Hercules Tenths) sets down a long Catalogue of all things used for meat and drink, which the Reader may see at large (b), therefore they (b) *Festus* paid Tithes of every thing. And where-  
as Mr. Selden doubts of their doing this yearly, because he finds Vows are oft mentioned in these consecrations; let it be noted, Mr. Selden well knew, that many of the Gentiles Vows were concerning things necessary, and many of them yearly and constantly renewed, as that Vow for the safety of the Emperour, which *Pliny* the Second wishes, he may every year pay, and every year consign a new. *Tertullian* also speaking of these Vows notes, *They were annually renewed*: And Mr. Selden himself proves, the Vows of paying Tithes were made yearly, by an Inscription thus Expounded by the Noble Scaliger, *Omnibus hic annis, votorum more suorum, &c.* see Selden Hist. pag. 28. and (were it not to avoid prolixity). I could by many more Instances prove that all (who were accounted pious) did yearly and upon all occasions of

(b) *Festus*  
*verbo pol-*  
*lucere,*  
*P. 168.*



extraordinary Gain besides, pay Tithes of all sort of things to one Deity or other: nor is it easie to tell how so many thousand Deities as the *Romans* had, with their Temples and Priests, could be maintained otherwise. And that they did not give these Tithes arbitrarily, when they pleased, and if they pleased; 'tis plain even out of Mr. *Selden*, That it was a Custom so to do, Didymus *ut supr.* & *Cassius pag. 32.* agreeable to the ancient usage. *L. Mummius pag. 26.* yea 'Twas thought necessary to Tithe, *pag. 31.* It ought to be done, saith *Plautus* his Parasite, *pag. 28.* Yea the Laws of Greece commanded it, and of Rome too; and a like Law also among the *Arabians*, *pag. 33.* To which may be added the general opinion amongst the *Romans*, that they who paid Tithes would be Rich and Blessed in their Estates, and they who neglected it, accursed and poor. And this suffices to shew how falsely Mr. *Selden* corrects *Paulus*, and how generally the opinion and practice of the Tenth part being God's due, had spread it self in the Heathen World. As to *Scaliger* and *Selden*, I have reason enough to say, *Quantum juris Aristarchi isti sibi sumpserunt in antiquis Authoribus corrigendis?* And I hope the Reader will think no worse of honest *Paulus*, for these mens censures, since *Scaliger* is well known to have censured many better Scholars than himself. And of *Erasmus* he saith in particular, that he was *Totius Naturæ ignarus*; yea and Mr. *Selden* imitates him pretty near, calling all that dissent from him by the scornfullest

fullest Names he can devise, *Preface, pag. 1, 2.* &c. But for *Paulus*, *Charles* the Great said he was the best Writer and Scholar of his time. *Leo Marfic. Chronic. Cass.* yea *Selden*, when he is cooler, saith he was *A man of great Reading and Knowledge for the time he lived in*, *Review p. 457.* His Authority therefore and our Position is thus far made good.

The rest of the Objections which he borrows to oppose this Universal custom are very frivolous. *First*, He tells us out of *Selden*, *Cato* is silent concerning it, which signifies very little when so many other Authors of as great credit do mention it; viz. *Festus, Cassius, Halicarnassens, Livy, Plutarch*, &c. If *Cato* had denied what these affirm, it had been something: but his silence can have no weight against plain Testimonies, and yet I find *Cato* himself in that very Book cited by *Selden*, describing the Rites and solemn words used when they did [*Pollucere Dapes & Vinum*] consecrate that which was for Food, and Wine, to *Jupiter Dapalis*, who was to have his part before they used any (c). And though he mention not the proportion to be the Tenth, yet the reason of that may be because it was then so known and unquestionable, That the Tenth was the Gods part; that he thought it superfluous to set that down. *Secondly*, The instance of the *Locrians* giving the ninth part is true, but *T. E.* cunningly conceals, that they never did so but once, and that upon a particular occasion (which may

(c) *Cato de re rustica. 134. vid: Brisson de formulis l. 1. mih: pag. 322*

(d) Justin  
*Histor. lib.*  
*20. mihi*  
 193.

(e) Alex.  
*ab Alex.*  
*gen. die-*  
*rum l. 2.*  
 c. 8.

be read at large in *Justin* (d), only to out-do their Adversaries who had vowed the usual number, a Tenth; but this particular act cannot over-throw a general Custom. Thirdly, For the *Egyptian* Priests having the third part of the Revenue of the Kingdom, it doth not at all concern us in this Question, for their Priests were of the Noblest Families, and some of them of the Blood Royal, they were Princes as well as Priests, and the King was chosen out of them (e), so that they had had a great part of this Revenue by Descent, and not by Consecration, as Princes not as Priests. But when my Adversary cannot disprove the practice, he hath a reserve in store, viz. *That they learned this Custom by Tradition from the Jews, by whom Tithes were preceptively and constantly paid.* Here T. E. forgets himself, for since (according to him in this very page 35.) *The Heathens Consecrations were neither general in point of place, constant in point of time, nor certain in point of quality,* how can it be thought they learned of the Jews, who paid generally, constantly, and certainly the Tenth? Could the Heathens learn from the Jews to act contrary to them? To Vow Arbitrarily, sometimes and in an uncertain quantity, could this be learned from them who (as T. E. confesses) paid a certain Tenth, necessarily in obedience to a precept, and constantly in point of time? Either therefore let him confess the Heathens paid Tithes constantly, generally, and certainly as the Jews did, or else revoke his foolish and

and contradicting Assertion of their learning it from the Jews. But he tells us fallaciously, *so it seemed to Selden*; how? Did it seem to Selden that the *Greeks* and *Romans* (of whom our principal enquiry here is) learned to consecrate Tithes from the Jews? No such matter: only he thought the *Arabians*, their Neighbours, might learn it from the Jews, for he thinks the *Carthaginians* had it from the *Phœnicians* (*Melchisedec's* Neighbours, if not Subjects) and Selden adds there (which the cunning Quaker suppresses) *Neither is it unlikely that the ancient and most known Example of Abraham gave the first ground, both to them (i. e. the Phœnicians) and the Europeans (i. e. to the Greeks and Romans) so sometimes to dispose of their Spoils of War to Holy uses,* Selden, pag. 34. He therefore, though he curtail the account, with his [sometimes, and Spoils of War] to make it suite his own design, yet he confesses contrary to *T. E's* pretence, That the consecrating the Tenth part was learned by the *Phœnicians, Greeks, and Romans* from *Abraham's* Example, and consequently these instances are properly set in the period before the Law, and they declare to all unprejudiced seekers of truth, That an opinion and practice so early received, so far spread, so universally, constantly, and without any contradiction obtaining among Nations so distant in place and different in other Opinions and Practices, must needs have come from some of the first Patriarchs (as the Learned *Brentius* also de-

(f) *Gentes* clares with great assurance (f). And these  
*etiam de-* Patriarchs (as before is proved) could have  
*derunt ali-* this Number and Proportion from no other  
*quoties De-* but God himself. Now that Number which  
*cimas Diis* Divinely inspired Patriarchs learned from  
*suis, quod* God to give to him, and both actually gave it  
*haud dubio,* and taught their Posterity so to do before the  
*sicut &* Law, could not have its Original from the  
*mos sacrifi-* Law of *Moses*. And since that and no other  
*candi, à* Proportion was given by them who knew the  
*Patriar-* Will of God by Revelation, and that usually,  
*charum ex-* generally, and constantly by all that received  
*emplo de-* their Directions from them; we gather very  
*sumptum est.* evidently that this part of the Tenth is that  
*Erant. in* which God would have given to him. His  
*Leyit.* Will, that is our Law, is sufficiently revealed  
*xxvii. 30.* concerning his Right to this Tenth part, and  
 this the first (though not the only) Ar-  
 gument, That Tithes are Due, *Jure Di-*  
*vino.*

§. 8. **P**Ag. 36. Now the proof of this ge-  
 neral usage of the *Gentiles* conse-  
 crating the Tenth of all sorts of their Gains  
 to their Gods, as being derived from the first  
 Patriarchs, and probably from *Abraham*,  
 gives light to the next Question, viz. *Whe-*  
*ther Abraham paid Tithes of all, or only of*  
*Spoiles?* and makes it likely it was *Tithes of*  
*all*, and the payment frequently repeated;  
 for a single act of giving *Spoils only*, would not  
 have spread so far, nor have been a president  
 for annual payment of Tenth of Fruits, and  
 other



other things, which we see was used among many of the *Gentiles*: Only since *T. E.* saith my Arguments are but *May-be's*, and *Likelihoods*, I will more positively prove now what I made probable before, viz. That *Abraham* paid Tithe of all, and not of Spoils only. Mr. *Calvin* thinks he paid Tithe only of his own Goods, because he resolved not to touch any of the Spoils. And there may some Question be made, whether he paid Tithe of Spoils or no, for all our Quakers confidence, pag. 30. *God says it was of the Spoils* (saith he), But the *Greek* in which God delivered his mind, is, ἐν τῶν ἀνεργιδίων which (though we Translate it, *Spoils*) perhaps doth not signify *Spoils*, at least not here; I am sure many learned men think so: St. *Hierom* (who is Authentick enough with *T. E.* pag. 41.) renders it, *Heb. vii. 4. de prapris, Of the chiefest parts.* Tremelius in his *Syriack* Version Translates it *First-Fruits, Decimas & Primicias*, and Mr. *Selden* saith, *Indeed ἀνεργidia signifies also First-Fruits, or the chiefest parts sacred to the Gods, Chap. i. pag. 2.* The natural and prime sense of the word doubtless is *The Tops of heaps*, whence the *First-Fruits* being usually taken, the secondary sense of the word is *First-Fruits*. Hence *Phavorinus* gives no other sense of it than *The first-Fruits of Heaps, or any First-Fruit* (a). And the great Etymologicon Translates it, *First-Fruits of Fruits, or of Hunting.* And though Mr. *Selden* pretend that *Suidas* and *Hesychius* are of his Opinion, who would have *ἀνεργidia* to signify nothing

(a) *ἀνεργidia*  
ἀπαρχή  
τῶν θινῶν  
ἢ παρὰ  
ἀπαρχή,  
*Phavorin.*  
p. 110.  
ἀπαρχὰς  
τῶν καρ-  
πῶν, ἀπαρ-  
χὰς τῆς  
θίξης.  
*Etym. Mag.*

## The Right of Tithes

else but Spoils taken from the Dead or Living, He wrongs them both, for *Hesychius* gives, *First-Fruits of Fruits* to be the first sense of it, and then in the second place, *First-Fruits of Spoils*; and *Suidas* gives the proper signification of it to be *First-Fruits of Fruits or Merchandise*; and as they say also (so he

(b) Ἀπαρχὴ καρπῶν, ἢ σκύλα καὶ λαφοίρων. *Hesych.*

Αἱ τῶν ἐναυσιαίων καρπῶν ἀπαρχαί, Ἀλεξδρινία δὲ, κυρίως χαλκῶστας ἀπαρχὰς ἀς ἀναπιδέασιν οἱ ἐξ ἐμπορίας. *Suidas.*

brings in the second sense) of things taken in War (b).

Yea Mr. *Selden* himself (having cited one instance where Ἀλεξδρινία signifies Spoils) confesses, indeed it elsewhere rarely occurs in this sense: So that we may argue thus: No men-

tion is made in *Genesis* of Tithe of Spoils, nor any other place but *Heb. vii. 4.* and there the Apostle uses a word which doth not primarily, properly, nor usually signify Spoils, but First-Fruits and the Tops of the Heaps, and best parts, and so some Translate it. Therefore we cannot be sure *Abraham* gave Tithe of Spoils: But we are very sure he gave Tithe of all, so the very words of Scripture say, *Gen. xiv. 20.* He gave him Tithe of all, that is, saith ~~King~~ *Solomon*, of all that he had: *Decimam de rebus omnibus Jun. & Tremelius*, of all things: *Omnis substantia sua*, of all his Substance, saith *Eutherius*. Again *St. Paul*, *Heb. vii. 2.* saith He gave a Tenth part of all; and there again the *Syriack* and *Arabick* both say *Of all that he had*; and therefore from a word of uncertain signification in one place, to argue against a certain word twice repeated,

is very weak, yet so *T. E.* doth when he would restrain *Abraham's* Tithing to *Spoils only*, and though this be that which *Mr. Selden* drives at also, yet we may note that <sup>not</sup> one of *Mr. Selden's* Authors do say, *Tithes of Spoils only*: and since 'tis sure *Abraham* gave Tithes of all, if *Spoils* were a part of that all, it makes not against my Assertion, so that I can allow it to be taken for granted that *'Ανεσθρία* signifies *Spoils*, *Heb. vii. 4.* ὃ καὶ δεκάτην Ἀβραάμ ἔδωκεν ἐκ τῶν ἀνεσθρίων (saith *St. Paul*) To whom *Abraham* gave also a Tithe of the *Spoils*, not only a Tenth part of all which he said, *vers. 2.* but here *vers. 4.* also a Tithe of the *Spoils*; we must not leave out nor misplace the Particle [*καὶ*] for by it the Apostle shews the Dignity of *Melchisedec's* Priest-hood above *Levi*; for whereas *Levi* only had Tithes of all mens ordinary estate, *Melchisedec* had that as well as *Levi*, *vers. 2.* but then the greatness of this Priest above *Levi* may be considered, *vers. 4.* in that the Patriarch *Abraham* gave him also a Tithe of *Spoils*, which ('tis well known) *Levi* never had. This is the plain and natural sense of this place which rather enlarges than contracts *Abraham's* Tithing, and confirms my Assertion, that *Abraham* paid Tithes of all. And if we should force my Adversaries sense upon *St. Paul*, it utterly destroys his Argument. For how can the Apostle prove *Melchisedec's* Priest-hood greater than *Levi's* by asserting *Melchisedec* only had Tithes of *Spoils*, when *Levi* (as every one knew) had Tithes of all.

Some

## The Right of Tithes

Some petty Cavils against this and *Abraham's* ordinarily or frequent paying (of which we shall treat §. 11.) *T. E.* here makes, to which a brief Reply may suffice: And *First*, he mistakes to think I draw a general rule from this particular and extraordinary case, for then (as the Quaker Expounds the place) I must have inferred, *That all Souldiers ought from this Example of Abraham, alwaies to give Tithes of their Spoils*: but this I never did affirm, nor do I draw any rule at all from this particular case, nor from any thing extraordinary in it: I do bring this Case with many others in conjunction, and from them altogether I infer, *That the Tenth is God's part, and the Priest his Receiver*; and in this Case if the Victory and Spoils were extraordinary, yet a Priest blessing, and a faithful man acknowledging God's bounty by oblation of a Tenth part, this is ordinary; this was found in this Case among the *Gentiles*, under *Moses* Law, and in Gospel times also, and it is only from what is ordinary in this instance of *Abraham*, that I draw my proofs, and so do not offend against my Friends rule in any wise. Again, *T. E.* (who is alwaies most confident when he hath least ground to be so) quarrels at my modesty (in his 37 page) in that I assert only the probability of *Abraham's* giving Tithes in Ordinary. But the Reader my observe, the reason is, because it is not necessary to the main Question to determine absolutely that he Ordinarily gave Tithes, or paid them: for if he did it but once, since then it was the Tenth  
and

and no other part, and was presented to a Priest, and no other person; that shews a Divinely inspired Patriarch thought *The Tenth to be the properest part, and a Priest the fittest Receiver*. And if by great distance, or other unavoidable difficulties, *Abraham* had paid but once, yet the omission of practice, upon just occasion, doth no way over-throw the force of a Divine Institution, as appears from the *Israelites* paying no *Tithes* in the Wilderness, from *St. Paul's* asserting his right, even when he did not receive his dues, *1 Cor. ix. &c.* yet I did make it very probable, that he gave *Tithes* Ordinarily, shewing it by many Arguments, which I shall confirm, §. II. And if the Reader please to read that place, with the 31, 32, and 33 pages of my former Book, he will see I had other grounds for that Assertion besides Scriptures silence; and yet as to that silence, whatever *T. E.* can say against *Abraham's* giving *Tithes* more than once, from this ground, *Because the Scripture mentions his Tithing but once*, I might (would I be as ridiculous as he) urge to prove *Melchisedec* never blessed God but once, because the Scripture never mentions his blessing God but once. But if it be probable *Melchisedec* blessed God oftner than once, notwithstanding it be mentioned but once, why is it not as probable *Abraham* gave *Tithes* more than once, though it be mentioned only once? I brought probable reasons to prove he gave them oftner, and *T. E.* denies it only because he doth not read it in Scripture, and therefore it is no Solæcism  
for



for me to require better Answers to my proofs than flat denial, and better proofs of his denial, than his own not reading it.

§. 9. **P**Age 39, 40. There is no ground for *T. E.* to be so confident of Scripture silence in this Matter, for the Text in *Genesis* and *St. Paul*, being indefinite and without any limitation, *He gave Tithes of all*; it cannot be inferred thence that he did it but only once: and since the words are true, if *Abraham* gave him Tithes of all, yearly and ordinarily, there is no stress to be laid upon such a limitation (only once, or the like) as *T. E.* imposes upon the Text; some there are who do Interpret [*He gave*] thus, *He did by Promise and Consecration give the Tithe of all to him; and afterward made it good by payments so frequent and so publick, that the Gentiles learned this practice from him.* And even in *Genesis* it self, the word [*Give*] is put for [*promising to Give*] as where 'tis said concerning *Isaac*, *Unto him hath He* [that is, *Abraham*] *given all that he hath*, *Gen. xxiv. 36.* that is, *Abraham* had by Promise declared he would give *Isaac* all that he had, though as yet he had not actually turned himself out of possession; and *Rab. Salomon* saith, *Abraham* did this by a Deed in Writing delivered to his Steward, to be shewed to the Friends of his Sons Wife; and so he doth explain that Sentence of *Eliezer, vers. 10.* all the Goods of his Master were in his hand, that is (saith he)

he ) a Deed in Writing containing this promised Gift : yea in common speech we say, *We give*, when we Vow to give ; so that the words may fairly be expounded of Giving, so as to infer an ordinary payment, and then *T. E.*'s negative arguing falls to the Ground, with all the Chimæra's he built upon it. And for his Dilemma it returns upon himself, for the Spirit hath recorded, *Abraham* gave Tithes of all to a Priest, therefore that hath relation to future Ages ; and hath spoken in words which doth not deny ordinary payment, and therefore *T. E.* cannot from them infer *He did not pay ordinarily*, and that negation had no relation to future times, and therefore was not recorded. So also for that Maxim, he abuses *Expressa nocent, &c.* The plain sense of it applied to this Case is this : It is exprest that he gave Tithes of all, and to a Priest, which makes for my Assertion ; But it is not exprest that he gave Tithes only once: Therefore that cannot be pretended against my Assertion. But I hasten to that which is more material, and leave *T. E.* to please his shallow Quakers with these empty flashes, which petty kind of Fallacies are his Highest Talent, and most of his Answer consists of them.

s. 10. **P**Ag. 41, 42, &c. He should regularly now have gone on to confute my Arguments which prove, that *Abraham* did ordinarily Give Tithes, but these *Maybe's*, are too hard for his Teeth yet, and therefore he leaves them and skips from my 31 page to my 35 page, to enquire, *What Right Melchisedec had to these Tithes?* He thinks he had none *Founded upon Natural Justice and Equity*; because in those daies there was no settled publick Worship wherein he could perform any Outward Priestly Office or Service. Two impertinent words it seems, viz. [*Outward, and Service*] I left out in my citing this Sentence, and though it be Non-sense while they stand in the Sentence, I am highly charged for going about to make the Quaker speak sense: But I would know who ever heard of an Inward Priestly Office or Service? A Priest is for Publick Worship, and therefore his Office and Service must be outward, and *Melchisedec* openly and audibly and outwardly did bless God, and so do all other that pretend to be Priests, except the *Mumbling Mass-Priests, and Quaking Leaders at dumb Meetings*: such inward Service, I confess, cannot have any right to be rewarded; but such outward Service as *Melchisedec* and Gospel Ministers perform, may justly be requited by Tithes. If inward Service had been enough, then every private man might have done that in his own breast; there had been no need of

a Priestly Office but for outward Service, which Office he executing outwardly, and openly before a great Congregation, he had a right to Tithes founded upon natural Justice and Equity. And if *T. E.* pretend he reads only of his doing this once, yet however, for that once (then) *Melchisedee* had a right to receive Tithes once, and consequently They that bless God openly, and outwardly, and execute their Priestly Office constantly (as Gospel Ministers do) These have a right to receive Tithes alwaies. But what reason hath *T. E.* to be so positive that *There was no settled Publick Worship then?* He tells us pag. 41. that Learned Men have been of various Judgments about that Text, *Gen. iv. 26. Then began men to call upon the Name of the Lord.* But are not learned men also of various Judgments about that Text, *Heb. vii. 4?* yet *T. E.* is positive enough there for his own sense [*Spoils*]: *God saith Spoils* (that is, he means, in our Translation) and might not I say here, God saith *they began to call upon his Name*, for so we Translate it, and how darest thou, O Quaker, say——*began to prophane it?* If *Hierom* reads here *Iste caput.* *Hierom* also reads, *Heb. vii. 4.* (not Tithe of Spoils, but) *Tithe of the chiefest.* If *T. E.* will allow *Hierom* in one place, I will allow him in the other; for if *Enos* began to call upon Gods Name, surely he was not the first who did it privately, unless all were Atheists that went before. So that St. *Hierom* (as I can prove from his other works) did not believe there was no Publick

Publick Worship then ; and Page 9. shews he counted it a better Version, to Translate it *began to call upon the Name of the Lord*, than *began to pollute*, and therefore he puts the first in the Text, the other but in the Margent, and in the second place there. But (saith T. E.) Tremelius and Junius read it downright prophane, *Tunc cœptum est prophanari in invocando nomine Domini*. Which is no other but a mistaken and rejected Version, for the last and best Editions of Junius and Tremelius read, *Tunc cœptum est invocari nomen Jehova*; and if Genebrad and Broughton assent to their best reading, then all T. E's Witnesses are on my side : However I am sure of Junius his Opinion, who not only Translates it, *Then the Name of Jehova began to be called upon*, but he hath a long Marginal Note to confute those who Translate it *Prophane*, and to shew *That the Sons of God then gathered themselves into the body of a Church, and used Preaching, Prayer, and other Holy Exercises*——and whereas Adam had prayed in his Family, now many prayed as received into the fold of the Church. And is not the Quaker strangely bold to Quote a Text so particularly, and at large, against the plain Opinion of the Author he cites, especially when he rails at me for only setting down the same Authors name wrong in my Margin by a casual mistake, and spends a great part of two Pages in inveighing against me for that which is a far lesser fault ? But as to the thing, I do assert, that the generality of Learned men read it — *call up-*



in the Name, &c. and some of those who read — began to Prophane, &c. give this reason for it, because they cannot think God's Publick Worship began so late as *Enos* his time. *Drusius* *quæst. per Epist.* 18. Therefore to be sure there was a Publick settled Worship in *Melchisedec's* time, for the performance of which he had a Right to Tithes founded in Natural Equity: I proved this before by *Melchisedec's* being a Priest, *Gen.* xiv. 18. and a Priest being ordained not for private but publick Worship, and a settled Priest for settled Worship, we must suppose (as I noted) that *Melchisedec* neglected his Office; or else grant, there was a settled Publick Worship in his City, and in his Daies. Pincht with this *T. E.* hath left himself one starting hole, viz. that it was not [Outward Service] his Office consisted not in external Rites and Ceremonies: what then? was there no Publick Worship in his Daies because it consisted not in Outward Service, or (as *T. E.* explains himself now) in Rites and Ceremonies? This is a strange Position, and would tend to prove, there is no Publick settled Worship, but what is Ceremonial. But he adds, no Outward Service for which Tithes might have been a Compensation; he means there was no Levitical Service some hundred years before *Levi* was born: a learned Inference! But how poorly doth he beg the Question, and suppose that no Priest-hood except *Levi's*, no Service but Ceremonial, can have Tithes for a Compensation! There was Outward Worship performed

formed by *Melchisedec*, and a Worship deserving as great a Compensation at least, and a Worship for which a Divinely inspired Patriarch thought he deserved Tithes, and therefore we conclude, There was a settled Worship in Publick then, and such as might have Tithes for a Compensation, though 'twere not *Levitical*. One weak pretence he hath p. 44. against the consequence of *Melchisedec's* performing publick worship at *Salem* where he resided, viz. That his residence is mentioned with relation to his Kingship: very well; now if the King had resided at *Salem*, and the Priest somewhere else, this had been notably argued, and would have helped the Papists to an old Type for their Transubstantiation: But since the same man was both King and Priest, and that one man was fixed at *Salem*, surely he discharged his Priestly as well as Kingly Office there, and that at other times as well as at this, and therefore had a Right to Tithes. Leaving therefore *T. E's* poor shifts, the only reserves of an obstinate and baffled Adversary, I shall observe, that the same persons in that Age were Kings and Priests both; and hence it came to pass that Tithes which were paid to Kings by reason of their Priestly Office, continued in some places to be paid to them after the Offices were separated: so *Pisistratus* in his Letter to *Solon* mentions The privilege of former Kings to have Tithes of every man's estate paid to them, which he now converted to the Service of the Gods (a), and Mr. *Selden* confesses the Kings had

(a) *Diog. Laert. vii. Solonis p. 36. Hist. of Tithes. chap. 3. p. 25.*

had Tithes in Italy till *Evander's* time, when *Accaratus* taught them to give them to the Gods; whose Receivers we have shewed the Priests to be: *Melchisedec* therefore though a King, yet received Tithes as a Priest, and had a right to them by vertue of his Priestly Office, and yet was no *Levitical* Priest neither.

¶ II. **P**Ag. 44. *T. E.* hopes now his Reader hath forgot my Proofs that *Melchisedec* was *Abraham's* Priest in Ordinary, and therefore now from pag. 37. he skips back to pag. 33, and 34. and wholly omits all that was said of this matter in my 31, and 32 pages. But not regarding his shuffling, the Reader may note, I proved my Assertion, 1. By shewing *Melchisedec* was *Sem*, and so the eldest of *Abraham's* Family living, and therefore his Priest in Ordinary; this I proved by *St. Hierom* and the Hebrew Traditions, by *Lyra* and *Tostatus*, and might have done by many more Authorities, as *Mr. Selden* can teach *T. E.* who shews that the best Authors are of that Opinion, viz. That he was *Sem*. Review pag. 450, and 451. He supposes clearly that *Sem* being *Melchisedec*, was either the First-born, or had the right of it transferred into him by special blessing, and so was the great High-Priest of the greatest God; see him also, *Hist. Tishes*, chap. 1. pag. 5. And pag. 457. Doubtless at the time of the Victory *Sem* was the chiefest of the Family there; and either a First-born also, or else had in him the right of a First-born, a Priest-head: So that if *T. E.* will believe *St. Hierom* or his dear Friend *Mr. Selden*, or the generality

ty of Learned men, *Melchisedec* was *Sem*, and by Right of Primogeniture, the Great High Priest in Ordinary of *Abraham's* Family.

2. That *Abraham* might pay *Melchisedec* Tithes Ordinarily, and partake of his Ministration. I proved from the small distance between *Manre* and *Salem* which *St. Hierom* reckons twenty two Miles; but I now observe, that *Bellonius*, a late Learned and very judicious Traveller who viewed those parts, assures us, That they went out of *Bethlehem* in the Morning, went to *Hebron* and viewed it, with divers eminent places about it, yet returned to *Jerusalem* that same night, so that he affirms *Hebron* is not above seven or eight Miles from *Jerusalem* (c), nor is it placed above eight Miles by the Scale in those exact Maps of *Adrichomius* in the Table of the Tribe of *Juda*. This evidence *T. E.* would escape, by pretending that some think *Melchisedec's Salem* was not *Jerusalem*, and *Selden* is quoted as if this were his opinion. *Review*, p. 452. whereas *Selden* proves there, it was more likely to be *Jerusalem* than the other *Salem*; and he notes, that *St. Hierom* confessed he learned that opinion from a Jew, and that all Christian Authors were contrary to him in this point, and thought it was *Jerusalem*, yea *Mr. Selden* notes also that *Josephus* and the modern Jews are of my side, and he thinks we may prove it true by Scripture, since the King's Dale, the place where this Meeting was, *Gen. xiv. 17.* is hard by *Jerusalem*, *2 Sam. xviii. 18.* (d), as many good Authors witness. To this I add,

(c) *Bellonius* observ.  
l. 2. c. 87.  
mibi p. 341.

(d) *Vallis Regia* duobus tantum radiis distat à *Jerusalem*.  
*Josep. Ant.* l. 7. c. 9.  
*Adrichom.* mibi p. 174.

from a Jew, and that all Christian Authors were contrary to him in this point, and thought it was *Jerusalem*, yea *Mr. Selden* notes also that *Josephus* and the modern Jews are of my side, and he thinks we may prove it true by Scripture, since the King's Dale, the place where this Meeting was, *Gen. xiv. 17.* is hard by *Jerusalem*, *2 Sam. xviii. 18.* (d), as many good Authors witness. To this I add,



add, that *Jerusalem* is *Abraham's* direct way from *Hobab* to *Hebron*, and is also not far from *Sodom*. *Jerusalem* therefore was the fittest place for *Abraham* and the King of *Sodom* to meet, & not the other *Salem* which was so very far from *Sodom*. *Josephus* plainly calls him King of *Jerusalem*, and so doth the *Chaldee* Paraphrast in this place, yea and the most famous Rabbins are of the same perswasion, as divers have plainly proved (e). The thing therefore is well made out, that *Melchisedec* was *Sem*, and lived so near *Abraham*, that he might pay him Tithes ordinarily, and frequently partake of his Ministration. Only it seems I was mistaken in two names of Authors set in my Margent by my hasty Transcribing, having taken *I. T.* (in my Note Book) for *Junius* and *Tremelius*, whereas it stood for *Jonathan's* Targum, and besides *Lyra* should have been set last, whereas I then placed that name first; but this, alas, with out any kind of advantage to my Cause (which is proved sufficiently without this Instance) and indeed much to my disadvantage, because I set down a modern Author instead of one more ancient, and of better credit in a Jewish Tradition of which I am speaking there. But as to the thing; whether or no *Rebecca* did not go to enquire of the Lord by *Melchisedec* or *Sem*, *Gen. xxv. 22*? I affirmed the Hebrews said she enquired by *Sem*, and so the Targum of *Jonathan* saith expressly, an Author of whom great things are spoken

(e) Card.  
wright  
Elect. Targ.  
gum. Rab-  
bin. in Gen.  
14. 17.  
Drusij  
præter:  
Hob. vii. r.



(a) R. Hillel  
had 80  
Disciples  
on whom  
the Divine  
presence  
might de-  
servedly  
rest, and  
the greatest  
of them all  
was Jona-  
than Ben.  
Uziel. Ga-  
latin: de ar-  
can. Cathol.  
verit. l. 1.  
c. 3.

(b) Dicunt  
Hebræi  
quod iuit  
ad Melchi-  
sedec qui  
erat sacer-  
dos Dei ex  
celst. Lyra  
in Gen. 25.

(c) Ioseph.  
Antiq. l. 1.  
c. 17.

(d) Hist.  
Tithes, c. 1.  
p. 5.

ken (a). So also the other Targum, viz. that of Jerusalem, names Sem in this very place; so doth R. Salomon, ver. 22. She went to the School of Sem; and upon ver. 23 The Lord revealed it to Sem, and he to Rebecca. Now since the Hebrews generally make Sem and Melchisedec to be all one, it may be justly affirmed all these mean that Rebecca went to Melchisedec, and (as I should have said before) Lyra expressly names Melchisedec in this place (b); yea the same Author there proves by a particular Account that Melchisedec or Sem lived 50 years after Jacob was born. Helvicus's Chronology comes to the same reckoning, pag. 10. and pag. 12. Perkins sets Sem's death Thirty years after Jacob's Birth; and the most Chronologers agree that Sem was alive after Jacob was born, and so he might very well be consulted by Rebecca. And that it was not to Abraham that Rebecca went (which is Junius and Tremelius fancy) may appear from Josephus, who plainly affirms Abraham was dead before Rebecca conceived (c), and from Mr. Selden who reckons Sem to out-live Abraham at least Forty years (d); so that in all probability the Jewish Tradition is right, and Rebecca went to enquire of the Lord by Melchisedec, the High-Priest in Ordinary of Abraham and Isaac's Family while he lived, and he to whom they annually paid Tithes, and so the Gentiles learned their practice of annual paying Tithes; which fair probabilities when T. E. hath disproved, by bringing as fair Arguments for one single accidental

cidental Present of Spoils, he may then boast of weakening the Cause I defend: in the mean time, 'tis certain when *Abraham* did give that part by which he owned God's bounty, that part was a Tenth, and he gave it to a Priest that blessed him, and praised God on his Account. And this is all that is necessary to the main Question. But besides, it is now proved very probable that *Abraham* gave Tithes of all his Substance, as well as of his Spoils, and that *Melchisedes* was his Priest in Ordinary to whom he frequently gave Tithes, and with whom he and his did join in the Worship of God, which brings in Collateral strength to the main Question, and makes out the recognition of the Divine Right of Tithes, even in the Patriarch *Abraham's* time.

s. 12. **P**Ag. 46. We Proceed to the Second Instance before the Law, which is that of Holy *Jacob*, which any impartial Reader may perceive T. E. wholly passed by, out of Ignorance or design, though he is loth to acknowledge either, since the one calls his Inspiration, and the other his Honesty in Question. His catching at the words [*Giving and Receiving Tithes*] and pretending *Jacob* is no Instance of giving, but only of vowing Tithes, shews only that he is suaking, and his Cause desperate, for the promise of a just man supposes the performance, and his Deeds do so certainly follow and fulfill his words, that what he vows or promises, he gives even

when he vows or promises : so *Jacob* is said to have given *Joseph* that portion, which he only promised him, *Gen. xlviii. 22.* and *Abraham* to have given *Isaac* all, when he promised him all, *Gen. xxiv. 36.* and *T. E.* without scruple calls *Erhelwols's* vow of Tithes, his Donation : if therefore we find such a Man as *Jacob* vowing Tithes, we may say, we find him giving Tithes ; and to give by Will, or give by Vow, are usual forms of Speech : But my knowing Adversary saith, *He doth not find he gave*: to draw a negative Argument from his own knowledge is strangely arrogant : doth he think there is nothing in Nature but what he hath found ? For my part, I think a man need wish for no more, than to know what *T. E.* knows not ; yet I doubt he did not find this, because he would not, and none are so blind as they that will not see. He may find in Scripture, words that plainly imply his Giving Tithes ; and in *Josephus* he may find that, *He returning afterwards did pay this Vow by giving the Tenth of all his Goods.* *Joseph. Antiq. l. i. c. 18.* He might have found the like in *Lyra*, *Tostatus*, and many others, nay in his friend *Mr. Selden* (which he hath beside him) who saies, *It may be thought he paid this Vow into Isaac's hands as a First-born and a Priest.* *Hist. of Tithes, p. 4.* And now I have found it for him, having little to say against it, he fills up most of the Paper he spends on it, in a large repetition of the History which every one knew before. But to what looks like an Objection I shall reply. 1. He saith,

faith, *His vow was voluntary*; and thence insinuates that no antecedent obligation lay upon him to vow. And it was conditional, which (he pretends) it was not in his power to have made it, if Tithes had been due before. I answer, *David* voluntarily vowed to keep God's Righteous Judgements, *Psal.* cxix. 106. and yet he was bound to keep them, by an obligation Antecedent to his vow; and though there was an antecedent obligation upon Tithes, yet *Jacob* might voluntarily vow them, for we see in the very same vow, and under the very same Condition which he vows Tithes; he also vows the Lord shall be his God; Did he not vow this voluntarily also? Did not Justice oblige him to take the Lord for his God, whether he had vowed it or no? Or was it in his power to make this obligation conditional? Must he not have owned his God, whether he had brought him back in peace or no? These are *T. E.*'s only reasons why Tithes were not Due before this spontaneous conditional vow, and he may see they are frivolous, because they may be urged as well against the antecedent right of owning his God; and since that is joined with Tithes, he must confess the spontaneous conditional vowing of Tithes, doth not prove they were not Due before. All that understand vows, know it is usual to vow things that ought to have been done without a vow; so *Hannah* voluntarily and conditionally too, vows her First-bon Son, *1 Sam.* i. 11. *David* vows to watch over his waies and his words, *Psal.*



*Psal. xxxix. 1.* and the Two Sacraments of the Gospel, are vows to perform the Duties of Christs Religion; and good men have used to secure their Duty, and quicken themselves to the performance of it, by these super-added Tyes, and voluntary Obligations: but indeed the condition of *Jacob's* vow seems to be no more but this, *If he lived, and had any estate out of which to pay Tithes*: which was indeed a condition without which it had been impossible for him to have paid Tithes; and if he had dyed, or been so poor as to want all things, he could not have been obliged to pay Tithes by vow or antecedent obligation either. His Objection being thus removed we will now shew, how this instance makes out the *Jus Divinum* of Tithes before the Law. This is a second proof, That the Patriarchs then believed the Tenth to be that very part which specially belonged to God, and that part which God would have them to dedicate to him in acknowledging of his bounty, and therefore by vowing this part, *Jacob* believed he should please God so well, as to move him to grant him his desire of preservation and provision. And since God did accept the vow, and perform those desires, and enable him to pay this vow; that proves he was actually pleased with his vowing that part, and withal declares that God had chosen that part before, and manifested his Will concerning it. Since he is not wont to give such approbation to meer human Inventions, in things relating to his Service; and since it was



was the very same part which *Abraham* gave before; and both these Patriarchs who knew the will of God by Inspiration fixed upon this part; and neither they, nor any others, who were inspired in that Age, ever gave any other part upon record: Hence it follows, That we have in *Jacob's* Example, a second clear manifestation of the Will of God to have the Tenth part dedicated to him; and since Right is alwaies the measure of God's Will, it follows that the Tenth part is of Divine Right. Moreover we note, that since *Jacob* learned the proportion from *Abraham*, and consequently from God, and *Jacob* gave a Tenth of all; 'tis like *Abraham* was wont to do so also. However, because we should alwaies take the best example and bountifullest side in making acknowledgments to God, therefore we ought to give Tithe of all that God gives us. But if *T. E.* stick to the Letter, and say, This is only an Instance and Example of Vowing Tithe of all, not of giving; yet the Holy Ghost in recording this vowing however (according to my Adversaries own inference) designed that for our Example, and that will shew, that our Ancestors did well in Vowing Tithes, and we cannot do ill in paying what they did well in Vowing for us as well as themselves; especially since if they had left us at liberty, it seems we ought to have Vowed Tithes our selves, and when we had done so, common justice would oblige us to pay them. And if the Quakers were (as they pretend) *Abraham's* seed and true *Israelites*, they would do the works of *Abraham* and *Israel*, *John*

viii. 39. But let us observe how *Jacob* here puts together, the Worship of God with its two great circumstances, a Place to Worship God in, and Maintenance to support that Worship; and as Tithes were fixed to a Priest before, so here they are annexed to a Temple, which we find endowed with all *Jacob's* Tithe, long before the Ceremonial Law; and therefore to give Tithes to a Priest, and endow the House of God with Tithes, are Pious Acts, and are recorded as such for our Example by the Holy-Ghost, before the Law.

S. 13. **P**ag. 49. The Quaker beginning now to fear that Tithes will prove Due to *Melchisedec* in God's Right, would gladly cut us off from all claim by him, as being not of his Priest-hood. That Christ was of that Priest-hood, he grants; and denies not the Apostles to have been so too, yea and he confesses that *Melchisedec* had the same Priest-hood in some respects with the Ministers of the Gospel, from whence it follows that Christ & his Apostles, and the Ministers of the Gospel, had and have the same Right to Tithes which *Melchisedec* had. But he only Questions whether I and my Brethren, (I suppose) be Ministers of the Gospel? I reply, that since 'tis the Quakers who Question it, we shall not do them the Honour to prove it to them: For they are a confused Croud that know not what the office means, who never had other than *Jeroboam's* Ordination among them, *Whosoever would*, &c. 1 Kings xiii. 33. Speakers without Authority or Order, Succession, Deputation, or imposition of hands,

hands; and shall we do our Sacred Office that Dishonour to prove it to them, whereas it hath been proved to better Judges (a) by (a) *Su Ma-  
Scripture, Antiquity, and invincible Argu-  
ments, and is approved by all Foreign Prote-  
stant Churches, allowed by our Kings, our  
Parliaments, and our Laws, and the Office  
it self was conferred on us in a more solemn  
and Primitive manner than it is on any Clergy  
under Heaven? I should be ridiculous to go  
about to prove to a naked Indian, that my  
Hat or Band sat decently, when Civilized  
people thought they did. Contra negantem  
principia non est Disputandum; these wild En-  
thusiasts say the Order is or ought to be Abolished, and so it is utterly among them, who  
are therefore no Judges of this matter. T. E.  
proves his Mothers honesty (which I thought  
needed no more be questioned than my Priest-  
hood) by publick Fame only; and I will  
prove my Priest-hood no otherwise to him;  
Supposing therefore his Mother to have been  
unquestionably honest, and that I am unque-  
stionably a Minister of the Gospel; it follows  
then, that I am of Melchisedec's Priest-hood  
in some respects. The Fathers (whom I  
only named before) affirm that the Gospel  
Ministry (without respect to their own or  
any particular Age) are so, and 'tis a frivo-  
lous Cavil of T. E. to pretend they spoke of  
their own Clergy, not those of this Age,  
since though the persons change, the Office  
of a Gospel Minister is still the same. Epi-  
phanus saith, Abraham offered to one that in  
Un-*

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Uncircumcision celebrated Divine Offices, that the Priest-hood of the Circumcision might not proudly contradict the Priest-hood of Holy Church. Lest the Priestly Dignity should be settled in the old Priest-hood, it seemed necessary to Translate it to that Priest-hood after the Order of Melchisedec, which was before Aaron and Levi, which verily now flourisheth in the Church from Christ to our daies, since we choose no more according to the succession of Kindred, but require a similitude in Vertue. Epiph. contr. her. l. 2. T. 1. p. 209. St. Hierom clearly supposes also our Priest-hood (which he calls the Priest-hood of the Uncircumcised Church) to be the same with Melchisedec's Question in Gen. Tom. 3. p. 328. Steph. Tornacensis expressly calls Christian Priests the Successors of Melchisedec, lib. Epist. 171. And Isidore of Hispalis said, Abraham by Prophecie gave Tithes to Melchisedec, knowing there was to be a better Priest-hood among the Gentiles than the Levitical ever was. Isid. ap. Gloss. ord. in Gen. 16. Hence our Writers generally speak of them as one, The Melchisedecian or Christian order. Gauden of Tithes, p. 11. That I may not therefore multiply proofs in a plain Case, I shall only note that Fulk and Willet's Opinion would not signifie much against so much greater Authority; but indeed they were Disputing against the Papists, who would prove their Sacrifice of the Mass, and Sacrificing Priest-hood for expiation, by their being of Melchisedec's Order. Now we challenge no such Priest-hood, and do declare Christ the only Priest,



Priest, whose Sacrifice did properly expiate; and as Christ's Priest-hood consisted in offering an Expiatory Sacrifice, we do with *Willet* and *Fulk* confess he hath no Successor: that sort of Priest-hood rested only in Christ, and though *Willet* suppose *Melchisedec's* was such a Priest-hood, I see no reason to believe that: and I am perswaded it was that false concession, (*viz.* That *Melchisedec's* Priest-hood did offer expiatory Sacrifices) which drove the Doctor to as false an Assertion, *That Melchisedec had no Successor but Christ*: But for us, we affirm *Melchisedec's* Worship was only Spiritual (as far as appears) praising God and blessing in his Name; and ours is so too, and since we have the same kind of Duties, why should we not be of the same Order, and so receive the same Reward? The Fathers thought all this reasonable, and so will every impartial man: Nay 'tis likely *Willet* and *Fulk* would not have denied it to any but Papists with their sacrificing Priest-hood.

*Pag. 51.* The rest of this Chapter is spent for the most part in the Vindication of his Non-sensical proof of our not being of the Order of *Melchisedec*, which was, *That he was not made a Priest after the Law of a carnal Commandment, but after the power of an Endless life, Heb. vii. 16.* and (he saith) *Every one knows we are not so made Priests*; which when I justly charge as impertinently applied in my 41 Page, he is forced to confess (for all his brags) *That he used the Apostles phrase only by way*



way of allusion, which did not Tye his sense to the Subject St. Paul was upon: Very strange! What not when the Quaker was upon the same Subject himself, and brought this in Dispute as a proof? Did every one know before that T. E. had this trick to abuse the Apostles words to a sense in which their holy Author never meant them? I wish all that Read Quakers Books did know and consider this, that is so usual a cheat with them, viz. To use Scripture phrases to quite other purposes than they were intended, that their shallow Disciples may swallow Errors and Lies cloathed in misapplied words of Scripture, and take them all for Divine Truths. T. E. hath been sufficiently exposed for this impious dishonesty already, *The Priests bearing rule by their Means: The Demonstration of the Spirit and Power, &c.* and deserves a Black-cole for this: Well, but our main Enquiry is, what was St. Paul's sense of those two Phrases, 1. *The Law of a carnal Commandment.* 2. *The power of an endless Life.* And since those Phrases are not elsewhere in Scripture, they must be explained by the coherence of this place, where St. Paul is differencing Christ's Priest-hood and Melchisedec's, only from that of Levi; so that it was the *Levitical* Priest-hood which St. Paul means was made after the Law of a carnal Commandment; and so Christian Interpreters Expound it. Which Melchisedec was not made as the Legal Priests were, for they received their Priest-hood by the Law that had carnal Commandments: for it saith, *Circumcise the Flesh,*

*Flesh, wash the Flesh.* Theophilact. in loc. And St. Chrysostom, *Well did he call the Law, a carnal Commandment, for all that it decreed were carnal Things.* Chrys. Tom. 5. mibi pag. 501. Yea St. Paul calls the Ceremonial Law, a Law that had Carnal Ordinances, Heb. ix. 10. and expresses it by the very Name of the Flesh, Gal. iii. 3. as tending to the purifying of the Flesh, Heb. ix. 13. So that to be made a Priest after the Law of a carnal Commandment, is in St. Paul's sense, to be made a Priest according to the Ceremonies of Moses Law: and now every one knows T. E. spoke Non-sense, when he said, *We were made Priests by the Law of a carnal Commandment.* The second Phrase is, *After the Power of an Endless Life*; which, in the Apostles sense, is some way that is contrary to the Ceremonial Law, and because *Flesh*, and that which is *Carnal*, is corruptible and liable to change, as the *Levitical* Law was; therefore this opposite branch must signifie, *That which hath the power of continuing for ever.* And St. Chrysostom notes that St. Paul doth not put in the direct contrary in Terms, and say, *But by the Law of a Spiritual Commandment*, but changes his Phrase, and saies, *But after the power of an endless Life, to shew (saith he) that by a carnal Commandment he intended the Ceremonial Law, which endured but for a time.* Chrys. ubi supr. Yea, St. Paul himself declares he means no more by this Phrase, than that he was made a Priest according to a Law that should endure for ever, since he proves it by

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the words of the *Pfalmist*, cx. 4. *Thou art a Priest for ever, &c.* which he brings in (as the proof of this) in the very next Verse. And indeed the Law of Nature, after which *Melchisedec* was made a Priest; and the Law of the Gospel, after which we are made Priests, have in them the power of an Endless Life. These Laws are never to be changed, and therefore the Priest-hood also is unchangeable by the Apostles own Argument, *vers. 12.* This is the sense of those Phrases in plain *English*, which proves we are Priests according to the Order of *Melchisedec*; so that I need not strive to avoid the force of them at all, and *T. E's* talk *Of having the power of an Endless Life nearer to us than in the Duty*, is meer Canting and Non-sense. And as soon as we strip him of this misty Cloke of *Phrase-Divinity*, his nakedness most shamefully appears. I conclude, that a Priest who was not made after *Moses* changeable Law had Tithes paid to him, and that his Priest-hood and ours agree in this, That the Law to which his Priest-hood was affixed, was to continue for ever, and so is that to which our Priest-hood is affixed also. Oh but *pag. 55.* our Priest-hood is not unchangeable, *Because many Turns and Changes have been among us: One while, a Popish Priest-hood; another, a Protestant, yea an Episcopal Priest-hood; a Presbyterian; and an Independent.* Well observed! for Independents have no Priest-hood at all; this is as wise as he that said, There were four sorts of Government, Monarchy, Aristocracy,

Monarchy, Democracy, and Anarchy (making No Government to be one sort of Government.) But to the thing, these were no Changes in the Office it self; for all these that were Priests, pretended to be made Priests according to the same Law, though they came to it by different Rites. None of these abrogated the Old Office, and set up any New one: yea the very Presbyterians owned, That we were rightly made Priests; and indeed since our Ordination is Episcopal, we affirm and can prove, there never was any essential Change in our Office since the Apostles time, for there never wanted a succession of Episcopal Priests; and different Rites of Admission do not create a New Office: So that thus also ours is an unchangeable Priest-hood, pag. 56. But he urges, *We have more work to do than Melchisedec*, Ergo, *our Office is not the same*. I Reply, That if it be so, sure our reward should not be less than *Melchisedec's*, when our Work is greater, a Tenth then at least we may claim by this Argument; besides, *T. E.* cannot be sure *Melchisedec* had no more work to do than that which is recorded, *Gen. xiv.* but suppose he had no more; a new Duty annexed to an old Office, doth not make the Office new. *T. E.* will grant, Christ was a Priest of *Melchisedec's* Order, yet Christ was to Offer himself upon the Cross, which *Melchisedec* was not to do, nay it was more than he had to do for certain; yet Christ was of the same Order, and if God, or our Christian Governours, have annexed some new

Duties to the Old Office, it doth not follow that we are not of the same Order : I am sure, for the main, our Offices are the same ; his Spiritual, so is ours ; his to Praise God, so is ours ; his to Bless the People, so is ours. Nor do we Curse any, but such whose Crimes made them first liable to the curse of God : And should we bless the Covetous whom God abhorreth ? Should we Bless detainers of God's dues, when he Curses them, *Mal. iii. 9.* Did St. *Peter* bless *Ananias* and *Sapphira* for keeping back dedicated things, *Acts v.* or those that beguiled unstable Souls, *2 Per. ii. 14.* Or did St. *Paul* Bless Apostates, Incestuous Persons, and such as came with new Revelations, *1 Tim. i. 20.* *1 Cor. v.* *Gal. i. 8.* The Apostles Cursed such as acted like our Quakers ; and indeed it is our Duty to Curse these : yea since our Cursing is only designed to bring them to Repentance, it is the greatest blessing to them when it hath this effect ; and no doubt *Melchisedec* would himself have been as ready to Curse an Evil man for his amendment, as to bless a Good man : in this then we differ not from him, and so are Priests after the Order of *Melchisedec*. And doing the same Duties, we may expect the same Reward, *viz.* to receive that Tenth part which was so fully declared, and so often recognized to be God's Due before the *Levitical* Law, and even then paid to one that bore the same kind of Office we now sustain. And thus much we have Learned toward the proof of  
Tithes



Tithes being now Due *Jure Divino*, from the first period.

C H A P. II.

**P**Ag. 59. This Chapter is introduced with telling his abused Reader, *Hitherto: (saith he) no Right to Tithes appears*: Meaning surely, in his own Book, wherein he stifled most of the material proofs, and confounded the Order of the Rest, on purpose to keep that Right, from appearing, which my Discourse had sufficiently made out. And indeed the business of his Book is not to disprove the Right by solid Arguments, but to hide it by a heap of Words, that his Quakers may not discern it; and to carry on that design, he begins this Second Period, relating to the *Levitical Law*, with a manifest falshood, saying, *These Priests disclaim all Right and Tithes by that Law*: Whereas I only said, *We do not claim Tithes by vertue of it*, pag. 42. We do not claim by it as it is Ceremonial, pag. 49. Had I made such an Alteration in his Words, it would have afforded Matter for one Page at least, to display the dishonesty of it. But I shall only observe, That I brought many Arguments from the *Levitical Law* to strengthen our claim by other Laws, and though our Right rely

not upon that Law, yet by fair inference it may be justified from it, so that the word (*Disclaim*) was never used by me, but perhaps invented by him, to invalidate those collateral proofs I brought from thence, which he knew not how to answer, without the Hypocrisie of such an Invention. His tedious digression to justify *Burroughs* his calling *Aaron*'s the First Priest-hood, hath nothing in it like an Argument, but only that in our Translation, the Jewish Covenant is called, *The first Covenant*, Heb. viii. 7. and ix. 1. yet most other Versions, particularly *Beza*, *Tremellius*, *Vatablus*, and *St. Hieron* turn *αὐτῷ* there, by [ *Præ* ] *The former Covenant*, and so the Greek word often signifies in the New Testament, *John* i. 15. Chap. xv. 18. Chap. xx. 8. see *Dr. Hammond's Annot. on John* i. (2<sup>d</sup>), and the sense, as well as the Idiom, require in strictness it should be so Translated in the Hebrews, which shews *Burroughs* his power was not ever from on High, nor did the Spirit alwaies rest upon him, for if so, he had been secured from such mistakes as calling that the First First-Priest-hood and Covenant, which were only the Former, with respect to the Gospel Priest-hood and Covenant which followed. Again, he labours, pag. 61. to excuse himself from skipping three or four Pages in the beginning of the Friendly Conference; two Sentences of which he nibbles at pag. 282, 283. and then omits his Answer to another part of those beginning Pages for thirty Leaves together, viz. till Page 348,

349. and to answer so disjointedly, is no just answer; and besides, as for many other passages in those first three or four Pages of my Friends Book, he never once attempted any Reply unto. So that this rambling introduction, neither clears himself nor his Friend, nor doth it any Service to the Question, to which we will now proceed.

§. 1. **P**ag. 62. Under the Second Period *T. E.* thinks two things are chiefly to be enquired, 1. *Whether Tithes were a part of the Ceremonial Law?* 2. *Whether they were abrogated by Christ?* These two things are in effect but one, if he had stated the first right, viz. *Whether Tithes were purely Ceremonial?* (as I had expressed it) for so, the one necessarily includes the other; prove them purely Ceremonial, and that shews they were abrogated by Christ; and prove them abrogated by Christ, and that shews them purely Ceremonial. And on the contrary, the proving (as I did) they were not abrogated by Christ, shews they were not purely Ceremonial. He knows I granted in my 45 Page, that under *Moses Law* there were several Appendages to Tithes which were purely Ceremonial and abrogated; but Tithes themselves, as they are that *Quota* of Maintenance, are neither Ceremonial nor abrogated by the abrogation of the *Levitical Law*. To this he Replies, *They were commanded by that Law, and never commanded by any other, and so must fall when*

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*that Law fell.* I answer, any sufficient indication of God's Will hath the force of a Law, and inspired Patriarchs (as I have proved) had a sufficient indication of God's Will concerning the *Quota* before the *Levitical Law*, wherefore they were commanded before, as Sacrifices were, and although that Law be not written, yet the practice of Holy men relying on it, is Recorded, which makes it evident to us, they Acted by God's direction in the Choice of that part, so that *T. E.* is too bold to say, *They were never commanded by any other Law.* The Command was not written till *Moses Law*, no more were the Ten Commandments, and yet *T. E.* dares not say they fell with *Moses Law*, but indeed his Argument would serve an *Antinomian* who might say, *The Ten Commandments were commanded by that Law, and never Commanded by any other, that is upon record before, and hence might infer the abrogation of Moral Duties.* Besides there were many Virtues of Eternal Obligation for which no Written Law appears before the *Levitical Law*, as may be seen in these Examples (*a*), and yet no man of Modesty will pretend these fell with *Moses Law*. And indeed the Seventh part of our time, which God hath a peculiar Right to, as well as to the Tenth part of our Estate, is herein parallel to the present Case; for there is no Law to enjoin this upon Record before the *Levitical Law*, and yet even Quakers themselves by Meeting on those Daies seem to own, that the *Quota*, i. e. one Day in seven, is not Cere-

(a) Exod. xxxiii. 1. 8.  
Levit. xix. 11, 16,  
17, 35.  
Numb. xxx. 2.  
Deut. vi. 5.

Ceremonial nor abrogated with *Moses* Law, wherein the first and only Divine Command is on Record for it. The superinduced Jewish Ceremonies, as to the manner of observing one Day in Seven indeed are abrogated, as the Appendages of their peculiar way of Tithing are: But the *Quota*, as to both these, remains still, one Day in Seven, one part of Ten, pag. 62. But he cunningly Objects, *Tithes are not the Maintenance it self, but the Modes of that Maintenance, the means and waies by which it was raised.* This Notion he is very proud of, and repeats it often, yea fancies, pag. 63. that it would much conduce to the determining of the Controversie, when indeed it is a silly mistake, and only conduces to shew us that *T. E.* cannot distinguish between *Quantum* and *Quomodo*; for Tithes are the *Quantum* and *Quota*, and cannot properly be called a Mode; for even this Tenth may be raised in several Modes, and by divers waies; it was raised one way among the Jews, and is raised another among us; their Mode of Tithing and ours do vastly differ, and those Ceremonial Modes which were peculiar to them are abrogated, but the *Quantum* remains the same that it was before *Moses* Law; and Tithes are the Maintenance it self fixed into one Determinate part, which fixed and determinate Maintenance remains unmoved, how many alterations soever there be in the manner of raising this determinate Maintenance; even as the Worship of the true God remains unmoved, how many alterations soever



ever there be in the Modes of celebrating this Worship: But *T. E.* seems to like rather, that Worship, in general, should be compared to Maintenance in general; which, if we grant, then some one determinate sort of Worship will answer one determinate sort of Maintenance, *i. e.* Tithes; suppose Praise, which was *Melchisedec's* Worship, may be compared to Tithes, *Melchisedec's* sort of Maintenance. Now Praise was not by any written Command enjoined before the Law, only it may be proved to belong to God by the practice of inspired Patriarchs; it was Commanded under the Law, with divers Ceremonial Modes, which were abrogated with the *Levitical* Law, as the Ceremonial Modes of Tithing were, yet the Duty remains in force still, as to the main. And the place he produces in his 63 page (out of my 43 page) gives us the exact Character of a thing purely Ceremonial, and sufficiently shews, Tithes were not so, for they were not Modes, but a determinate sort of Maintenance, they were not proper to that Dispensation, but paid before it, and afterward too. They had no relation to Christ to come, nor were they Types of any thing in the Gospel; so that Tithes are not Ceremonial: Nor indeed were they instituted in the *Levitical* Law, but claimed at first as due before, which I proved in my 44 page, and he never Answered it. As for his blunder about Sacrifices and Circumcision, the only Instances of things Ceremonial practiced before the Law; they will not conclude

clude Tithes were so, since they were both by Name expressly repealed under the Gospel, which Tithes are not. And that observation affords this undoubted ground to prove that Tithes are not purely Ceremonial, viz. *Whatever was practiced by inspired Patriarchs before the Law, and was prescribed under the Law, and is not by Name repealed in the Gospel, that is not to be accounted purely Ceremonial; But Tithes were practiced before the Law, and prescribed under it, yet are not repealed by name under the Gospel, and so are not purely Ceremonial nor abrogated by Christ.*

§. 2. **PAG. 62.** This whole Section is confuted before, where we shewed that Jacob's Vow was voluntary and conditional, as to the Lord's being his God, which yet was a known Duty before, as well as giving or paying Tithes: only we note that Bellarmine the Jesuit first urged T. E's fallacious Argument, viz. *That if Tithes had been a known Duty, Jacob ought not to have vowed them,* Tom. i. Con. 5. l. 1. cap. 25. but the foregoing instances, together with *Nehem. x. 25. Jer. xxxiv. 8.* shew the Jesuit and Quaker both are grossly mistaken. How Tithes are mentioned, *Exod. xxii. 19.* and claimed with respect to Antecedent right, *Levit. xxvii.* long before the setting them on the *Levites, Numb. xviii.* is shewed before also: So that I shall only add, that as God promised to give Jacob the Land of *Canaan*, and it is generally

## The Right of Tithes

ly said, he performed that promise in giving it to his Posterity; so *Jacob* who promised God to give him the Tenth of all he should give him, may be said to perform this Vow in his Posterities, paying the Tenths of *Canaan*, and *Jacob* by his Vow laid a more particular Obligation upon them to pay Tenths, thereby to confirm God's antecedent Right. Only *T. E.* notes, that a little before God claims Tithes, he claims the whole Land and imagines that such a claim doth not prove God's antecedent Right to Tithes any more than his claim of the whole Land, shews he had any antecedent Right to the whole Land. I Answer, 'tis well he laies it upon this parallel, for this claim doth suppose he had a Right to the whole Land before, and indeed he had a Right to it antecedent to that claim, as appears by his giving it to *Abraham*, *Gen.* xiii. 15. to *Isaac*, *Gen.* xxvi. 3. and to *Jacob*, *Gen.* xxxv. 12. long before; unless *T. E.* will say, that God gave that which he had no Right to. So that the claim to the Land, and to Tithes being expressed alike, and it being certain God had an antecedent Right to the Land (forfeited to him by the wickedness of the Inhabitants); it follows God had also an antecedent Right to Tithes, and so they had not their beginning with the *Levitical* Law.

§. 3. **P**Ag. 64. Here again the Quaker entertains his Reader with putting his own sense upon my Comparisons, only to hide his crafty leaving out that which most directly concerned the main Question, *viz. What was Ceremonial in Tithes under Moses Law, and abrogated by Christ*; the particulars I reckoned up in my 44 and 45 pages, such as restraining them to one Tribe, bringing in the First-Tithe to the *Levites* in Specie, Tithing the *Levites* for the Priests, offering the second Tithe at *Jerusalem* for the Feasts; these with other circumstances were the Modes and Ceremonial Appendages to the fixed determinate Maintenance of Tithes, these like a Sute were put on, upon the old proportion of a Tenth part, which subsisted before these Vestments were superinduced, and remained after they were taken away again. And this fixed proportion I accounted justly to be Essential (not in respect to Maintenance ingeneral, as *T. E.* doth weakly suggest, but) in respect to those Ceremonial Modes, which he durst not produce my Catalogue of, for fear his Reader should have discerned a vast difference between the fixed proportion of a Tenth part, and the variable Modes of raising, paying, or distributing it; that being alwaies the same, this changing under various dispensations, even as it was also in the Case of the Seventh part of our time, that was blessed at the Creation, probably observed before the Law,

Law, prescribed in the Law, continuing now after the Law, and not Ceremonial, but the Modes annexed by *Moses* Law, were only superinduced for a time, and ceased with that Law, that first annexed them to the main and standing Order of one Day in Seven, which may be called Essential as to the time of God's Worship, in comparison of those lesser variable Ceremonies once joined to it. Thus far then the Tenth part appears not to be Ceremonial nor abrogated, not beginning with that Law, nor peculiar to it, nor yet Typical of Christ, remaining the same when its Modes altered; and now let us see what can be learned toward the Right of God to this Tenth part under the Gospel, by what was said or done about it during the Ceremonial Law.

§. 4. **P**Ag. 65. Divers Lessons I observed were to be learned thence; The first of which the Quaker (a fit Advocate for such a bad Cause) doth cunningly conceal by a base Equivocation, *One of his Lessons* (saith he) is——and then he Gites my *Second*, which is *one* indeed of my Lessons, but not that *one*, he should first have spoken to, but it seems the *First* did not please him, and therefore both in my 25 page, and here in my 46 page he claps it under Deck, and no first Lesson appears. But because he dreads it so much, I will once more produce it, *First this shews how God continued his Claim to Tithes which were his Dues before, it shews his approbation of the payment of them by the Patriarchs, and*

con-



confirms the disposal of them to God's Ministers, and makes good the Prescription against them that are not his Ministers, pag. 46. that is, the Levitical Law doth confirm my two former Positions. 1. That the Tenth was God's part. 2. That his Ministers were to be his Receivers. Though all the Land was Gods, yet he specially claims for his peculiar portion, *All the Tithes*; the same part which *Abraham, Jacob, and the Geneiles* fixed on; had he disliked that part, he would have chosen another, but his claim shews he liked that, and proves that the Patriarchs were directed, not by fancy (which God uses not to follow) but by Revelation in that choice, nor could the Almighty have confirmed the Patriarchs choice more illustriously than by so solemn a Testimony of his Approbation; and the practice of God's own people for near 2000 years together, doth still give credit to this Tenth part, and make out the prescription for that against all other parts. And Secondly for the Ministers being God's Receivers also, for to those who were his Ministers then, they were assigned, *Numb. xviii. 21.* and to no other, and by them they were enjoyed while they were his Ministers. And since God hath chosen another Ministry, and they need Maintenance also, and deserve no less a proportion, we cannot but judge they should have at least this Tenth, which was all along God's part: Which brings me to the *Second* of my Lessons, viz. *That this was a Pattern for Christ to imitate in his Provision for the Gospel Mini-*

*Ministers*, which I proved from St. *Paul*, who having shewed how and in what manner the Jewish Ministry was provided for under the Law, adds, *Even so hath the Lord ordained*, &c. 1 Cor. ix. 13, 14. As they lived of God's portion, so should these; the maintenance was alike in the main: Theirs fixed, so ours; theirs Honourable, so ours; theirs such as would allow them to attend continually on their Ministry, and that being our Duty, 1 Tim. iv. 15. our maintenance ought to be futable, which St. *Cyprian* also observes, when shewing how God provided for the *Levites*, so as they might not be taken off from Divine Administrations, he saith, *Quæ nunc ratio & forma in clero tenetur*. Cypr. l. 1. Epist. 9. The same reason, and the same form is held in the [Maintenance of the] Clergy now; which words do fully Expound the Apostles [Even so]: And T. B. pag. 67. grants that this [Even so] implies, *That Christ was not less careful of his Ministers under the Gospel, than God had been of his Priests under the Law*. From which concession it follows, that Christ hath provided as good a Maintenance for his Ministers as the *Levites* had. And though it be not the same in all circumstances, it must not be a less proportion, nor less arbitrary and unfixed; for God was so careful as to provide a certain, determinate, fixed, necessary Maintenance for the *Levites*, and would Christ have been as careful of his Ministers, if he had only provided an uncertain, variable, free and arbitrary Maintenance for them,

as

as *T. E.* (in contradiction to his own confession) would persuade us. If *T. E.*'s Father have two younger Sons, and he give one a perpetual Rent-charge, well settled on him and his Heirs for ever, out of the Elder Brothers Estate, and leave the other wholly to the Courtesie of his Elder Brother, only charging him to give him Maintenance in general; will the Quaker say his Father was as careful of this younger Son, as he was of the other? If he were that Son who were left to Courtesie, no doubt he would change provisions with his Brother, and think his Father had been less careful of him. And 'tis most absurd to imagine, *St. Paul* would compare the Gospel provision to the Legal, with [ἐπεὶ] if it had been unlike in all things; for all the *Lexicographers* assure us, these are Notes of Similitude, and used in rendering comparisons (*b*). So 'tis certain there is a Similitude and a Comparison here between these two, which proves Christ did take the Law for a Pattern in making like provision for his Ministers, though not in all points the very same.

(b) ἐπεὶ ad-  
verbium si-  
militudi-  
nis, & si  
Logicum  
usum species  
reductionis

Pag. 27. My Third Lesson (which he dares not call so, for fear of awaking the first, as yet unanswered) is, *That this was a Pattern for the primitive Christians also, and taught them to give their Ministers an Honourable Maintenance*; This the Quaker confesses, but would affright us from imitating them by falsely suggesting, *That the Levitical Law was but too much imitated by the Christians in the*

nota.  
Lexic. Pal.  
p. 118.

*Ages succeeding that of the Apostles*; and he that Reads the Writings of those times (saith *T. E.*) will find no cause to question it. We are sure, *T. E.* that affirms this, hath Read very few of those Writings, and therefore he hath cause to Question this, that he so confidently asserts; and I appeal to those who have Read them all, if this be not an ignorant slander: for who Disputes more Learnedly against Ceremonies, than *Justin Mart. Clemens Alexandrin. Irenaus, Origen, Eusebius, Epiphanius, and St. Chrysostom*, who fully shew they are all abrogated, and yet even these are (some of them) our witnesses for Tithes? And if *T. E.* pretend he mean this of the *Roman Church* in after Ages, let him look upon his own Book, pag. 88. where his dear Friend *Brute*, speaking of the Popish Clergy, saith, *They care nothing at all for other, as well the great as the small Ceremonies of the Law*: But I am speaking of the Primitive Christians, and can make it very evident that they believed,

since the *Levites* had a Tenth part, the Christians ought not to give less than a Tenth part (c). They thought they might and ought to give more, in gratitude for the better dispensation they lived under, but by no means allowed them to give less. And when they advised or actually gave the Tenth, with any mention of the *Levitical Law*, it was not because they thought

(c) *Hilariter & libere dantes ea, non quæ sunt minima, utpote majorem spem habentes. Item l. 4. c. 34. Saltem Judæorum imitemur exordia. Hieron. in Mal. τοσούτον ὅσον Ἰουδαίων οἱ νῦν ποιοῦν, μὴ ἑλαττόν τῆς δεκάτης μίσθας. Chrysost. Hom. 43. in 1 Cor.*

thought that Law about them was now in force, for then they should have restored Tithe with all the Ceremonial Appendages; only they urge it as a Pattern, and have regard to the fixed part; *the Tenth*, as fixed before the Law, continued under the Law, and never repealed, as being no Type of any thing under the Gospel. And it was that power and efficacy of the Gospel which *T. E.* speaks of *p. 68.* which opened their hearts to give so freely in times of trouble, and to make settled Donations of Tithes as soon as the Church was in a condition to receive them: and since we count that Maintenance honourable enough, which our pious Ancestors (upon so excellent grounds) freely gave us, we do not vary from Christs Example; who lived upon what was freely given him, and yet the difference of that time when Christ first began to plant the Gospel; and this, when it is planted and settled, shews we are not bound to unsettle all again, meerly to imitate the first beginnings of Christianity, any more than we should burn our Cloaths and go naked (as some Quakers upon this principle have done in these parts) because *Adam* and *Eve* did so.



§. 5. **P**Ag. 69. §. 5. Besides the Authors now cited, I quoted *Origen* his Exposition of *Matth. xxiii. 23.* *These things* (i. e. paying Tithes) *ought ye to have done*, &c. whence *Origen* infers, that Christians, whose righteousness ought to exceed that of the Pharisees, are obliged not to give less than a Tenth part. This *T. E.* attacks in a whole Section. But let him remember, that when he quotes this same Author in the same Homily on *Numbers*, in this Book, p. 274. he affirms, that what *Origen* saies, is the Opinion of those Times, and thence he must grant, that this also is the Opinion of those times; and if any doubt it, they may consult the Authors here cited (*d*), all Expounding this Text to the same purpose. And if these Primitive Fathers thought so, I have proved my Assertion, though *T. E.* and his Quakers be of another opinion: yet we will hear this great Judge of the Fathers Expositions, who boldly saies, *He will see how much this sense* (of mine and the Fathers) *agrees with Truth*: For first he alledges, when Christ spoke these words, *Matth. xxiii. These things ought ye to have done*, &c. the Law by which Tithes were commanded to be paid, was in force; I reply, It is not certain that Tithing Mint, and small Seeds, or Herbs, ever was commanded by God's Law. Mr. *Selden* (his so admired and infallible Author) saith, *It was never commanded in Scripture*, Chap. 2. §. 7. and

(*d*) Clem.  
Rom. ap.  
Annot. in  
Iren. l. 4.  
c. 34. Au-  
gust. in  
1 sal. 146.  
et Serm.  
205. de  
Temp.  
Hilar. expos.  
in S. Mar.  
p. 355.  
Agobar-  
dus lib. de  
Dispens. rei  
Ecol.

and the Rabbins expressly say it was by Tradition (e). And a great man in this sort of Learning saith, *The Tithing of Herbs was only of Ecclesiastical Institution, and yet it hath our Saviours approbation, partly for the Equity of the thing, and the consonancy of it to the Law and to Reason, partly because it was prescribed by the Sanhedrin, who sat in Moses Chair* (f). Again, if this were commanded by God's Law; T. E's *Bohemians* deny that to be in force when Christ spake this, for they say, *This Precept of the Old Law* (i. e. of Tithing) *had an end in the first year of our Lord Jesus Christ*; see T. E. pag. 90. But suppose we grant the *Levitical Law* was then in force, that is no more than *Origen* plainly supposes, and therefore he doth not think Christs Disciples bound by that Law, but only by way of Inference from *Matth. v. 20.* for thus he reasons; *The Pharisees ought to Tithe by that Law*; now whatever was a just and righteous thing in it self, and done by the *Pharisees*, Christ Disciples ought to exceed them in such things, but by no means to come short of them, *Matth. v. 20.* But *Origen* believed the giving of Tithes to be a just and righteous thing in it self, piously given by *Abraham* and Vowed by *Jacob*, and accepted by God; he thought it flowed from Love and Gratitude to God, and tended to the advance of his Glory and support of his Worship. Now in such a righteous Act as this, a *Pharisee* (in *Origen's* Opinion) ought not to out-strip a Christian. But T. E. pag. 70. ridiculously supposes Ori-

(e) *Decima-  
tio alerum  
est à Ma-  
gistris.  
Rab. Iom.  
sol. 83.*  
(f) *Light-  
foot Hor.  
Hebr. in  
Evang.  
Matth.  
c. 23, p 251.*

gen granted Tithes Ceremonial, and begs the Question that they are so, and then weakly runs on for a Page or two, to shew *That it cannot be Christ should bid his Disciples exceed Pharisees in exact observing of Ceremonies, and must not be believed upon Origen's word nor mine*: Whenas neither *Origen* nor I ever said any such thing concerning Ceremonies, but concerning Tithes, which he and I both, have affirmed and proved were not Ceremonial; so miserably doth the Quaker mistake the Authors he would pretend to Dispute against. I shall now only make a Remark or two on this part of his Discourse, and pass on. And *First*, since *Origen* is so apt to Allegorize, and so seldom Expounds according to the Letter (as *Selden* tells *T. E.*) that makes this literal Interpretation of this place more valuable, and shews he could not possibly make Tithes a Type; and since *Origen* (as *T. E.* by retail again from *Selden*, pag. 40.) advises, *To consider what things are to be Literally taken in the Law, and what not*; we ought to believe he considered this piece of the Law well, in observance of his own Rule, and upon mature deliberation thought Tithes still in force. *Secondly*, pag. 71. *T. E.* mistakes to think, *Judgment, Mercy, and Faith* are called the weightier matters of the Law, in respect to Tithes in General, which are an Act of *Judgment, Mercy, and Fidelity* (for they are so called but in respect of Tithing Mint, Anise, and Cummin, those small things scarce legible in the Letter of *Moses* Law. *Thirdly*,  
He

He saith, *It would puzzle a miser Citor to find out who Origen's Levite is; 'tis like it puzzles him, and he thinks himself a wise Citor.* But I suppose few of his intelligent Readers think so, and this ignorant Sentence proves him none of the wisest; for nothing more Ordinary in the Fathers, than to call all Christian Ministers, *Levites*; *St. Irenaeus* calls the Apostles so. *Adv. her. l. 4. c. 20.* and *St. Hierom* calls himself so, and every young Student can cite him twenty such expressions.

Page 72. But since Reason fails him, he will try what Authority will do, and therefore he confutes *Origen*, *St. Hierom*, *Hilary*, and *St. Augustine*, by the greater Testimonies of *Brute*, *Erasmus*, and *Dr. Willet*, the two last Learned men indeed, but such as never thought their Opinion of more Authority than the Fathers. As for *Brute*, he is most justly to be despised, as one more illiterate than he that cites him, and this Quotation proves him so. For he will not allow that these words ——— *Ought ye to have done: found as a Commandment; yea he is so brutish as to think the Pharisees, Out of Covetousness made great account of Tithes, because of their own singular commodity.* *T. E. p. 73.* whence 'tis plain this ignorant Man thought Tithes had been paid to the Pharisees, and grossly fancied they were Priests, though 'tis certain their strictness was in paying, not in receiving Tithes, *Luk. xviii. 12.* And *Brute's* mistake is so obvious, that a well Catechised Child would laugh at him

for it. Again, he boldly saith, Christ did not promise his Apostles a Temporal Reward, when they forsook all for him: directly contrary to St. *Mark* and St. *Luke*, who say, Christ promised them Houses and Lands even in this World, *Mark* x. 30. *Luke* xvi. 30. (and made that Promise good, *Acts* iv. 34, 35. as Commentators observe). Finally he impertinently cites the words of our Saviour, and St. *Paul*, *1 Tim.* vi. 8. applying it only to Ministers, when they speak to all Christians; and Ministers are no more obliged by them to renounce their Tithes, than the people are to renounce their nine parts! But *T. E.* may see Mr. *Selden* had the same Opinion of *Brute*, *Thorp*, and the rest of his Tithe-opposing Martyrs, that I have; for he declares he thinks much to stuff his Book with their Arguments; and indeed 'tis plain, he thought them not worth Transcribing. *Hist. Tithes*, chap. 7. p. 167. And of *Erasmus* his Opinion, the same *Selden* saith in the next Page: But that [Opinion] of his, divers have sufficiently both reprehended and exploded. But these words of *Erasmus* cited by *T. E.* here, (viz. That God commanded them for a time to be kept, according to the Flesh) do not imply that Tithes themselves were Ceremonial, but only that under that Law they were to be observed for that time with their Ceremonial Appendages: And 'tis probable *Erasmus* did not hold Tithes (as now claimed) to be Ceremonial, because he himself took Tithes when Arch Bishop *Warham* gave him the Patronage



sonage of *Aldington* in *Kent*. See *Kilburn's* Survey, pag. 10. Which reason holds also concerning *Dr. Willet*, who received Tithes of a Parsonage in *Cambridgeshire*: 'Tis true, he with *Bellarmino* and the *Jesuits* agree, that Tithes are not Moral. *Synops. Pap. p. 313*. But even in *T. E's* own Book, *Dr. Willet* is cited saying, *They were a judicial constitution*, p. 92. and that it is lawful to keep that Maintenance, pag. 91. and that they are not forbidden, pag. 92. Now dare any man say, that a Judicial and Ceremonial constitution are all one, or that a thing Ceremonial in its Nature, is not forbidden now, and that it is lawful now to keep such Ceremonies. He saith indeed, pag. 91. *The Law of Tithes is not now necessary as it was Ceremonious*. And so say I too; and so *Origen* supposes, and yet he and the Primitive Christians thought it was a pattern for them to imitate as to the proportion, that they should not give less. And since that was the thing I asserted, it is very impertinent for *T. E.* to bring any Modern Authors against that Assertion, as if *Erasmus* and *Willet* knew the Primitive Christians mind better than they themselves did; yet even these Authors he hath cited (*Brute* excepted) do not affirm Tithes as they are a *Quota* were Ceremonial; so far are they from saying, Christians might not imitate that proportion, or that the Primitive Christians did ill in doing so. And thus my third Rule stands good.

s. 6. **PAG. 74.** My Fourth Lesson is, *That the Substance of that which was then required, is due still, not only by vertue of that Law, but because there was an inherent Equity in the Thing.* And here he will not allow me to interpret my own meaning, but he will impose his own sense upon my words, and thence draw his Inferences. But I think it will be confessed by all impartial men, That whatever the *Levitical* Law found established, and did not alter in the matter of Tithes, that was the Substance of what was required under that Law. Now it found not only Maintenance, but that Maintenance fixed to a Tenth proportion; this it altered not, but added Ceremonial Appendages to it, and those cease with the Law that added them, leaving the Maintenance in its fixt proportion in the same state it found it, only better confirmed by God's written choice, and a long prescription. Again he suggests, *There is no inherent Equity in a Tenth part, which may either exceed or fall short of the Labourers desert.* I reply, the Opinion and practice of the *Gentiles*, who (guided by the Light of natural reason) approved of this as a just and equal part, is a great confirmation of its inherent Equity. Besides, if *T.E.* say it was not equal with respect to the *Levites*, then he charges God with folly and injustice in ratifying that part; if it were equal for them, then it cannot be too much or too big a part for the Ministers

nisters of a better Covenant ; yea, T. E. confesses, these should have a Maintenance that excelled theirs, pag. 78. Now though Gospel Ministers deserve more, yet since they are content with this, *Kolami non fit injuria*. St. Paul did and we may abate of our First Rights, and if any think this part too little, who are to pay it (as the Primitive Christians did) they may satisfy their Consciences by voluntary Oblations ; but many men, now a-daies, are in the contrary extreme, yet none of these can say in Reason and Equity, that we deserve a less or worse Maintenance than the *Levites* ; and since that was the part under *Melchisedec's* Priest-hood, 'tis certain what is so derived and so practiced in all Ages, that must be Equal. To be sure *Origen* and St. *Hierom* thought it had an Equity in it, and therefore they would have it stand in force : St. *Hierom* indeed thought it too little, but since Christ advised them that would be perfect, to sell all, and he literally obeyed that precept himself, selling all his own Estate ; therefore St. *Hierom* thought ordinary Christians must come so high as to a Tenth, and the Nobler sort might go higher, and give all, as Christ directs, *Matth.* xix. 21. *Luke* xiv. 33. And the Quaker shews he understood Scripture as little as human Authors, when he ignorantly asks, *Where there is a Command for Christians to sell all?* But to return to the Tenth part, the Fathers who would have that part obligatory to Christians, did believe it grounded upon an Eternal Reason, which Reason never

ver ceasing, the Law so far as it ordered that proportion, must never cease. Now that reason I declared, pag. 49. viz. That God's Right continues, and his Worship must continue, and Ministers to perform that Worship must alwaies continue, and these must alwaies be provided for competently: Now the Tenth was by God judged a competent Maintenance for his Ministers; and since he hath Ministers, and those Ministers continue, and both need and deserve as good a competency still, therefore the Reason of the Law so far as it prescribes that fixed proportion which God thought a competency, is Eternal; and so much of the Law as is grounded upon this Reason, is Eternal also. He pretends that Tithes were grounded on a Temporal Reason suitable to the Jewish Polity, pag. 76. But I would gladly have him make out that Temporal Reason, and tell us why a tenth part was more suitable to the Jewish Polity than any other part? and why more suitable to that Polity than to any other Polity? and what Reason now ceasing did then, and then only concern Tithes? He asks, *If the Eternal reason of Tithes hath tyed God to that part only?* ibid. I answer, his approbation of the Equity of that part made him once choose it, and moved him never to revoke it; and yet it is not concerning what God, but what man is tyed to, of which we now discourse; wherefore this Reason tyes man not to give a less part, since the need and desert is as great as ever. God may alter his own Institutions (and

(and such we reckon Tithes), and if he see the Reason on which they were grounded alter, no doubt he would do it: But when the Reason continues, and no such Revocation clearly appears, men may not alter them. But he Objects, *That the Alienators of Tithes did not believe them of Divine Right by the Eternal Moral Law*, pag. 77. Nor did I ever affirm them so to be, but only by Divine Institution, by positive declaration, and a sufficient indication of God's Will that he would have us give the Tenth to his Ministers. A sufficient Maintenance indeed, I say, is due by the Law of Nature, and so is the giving God some part of his gifts back again, and as Tithes rely and are grounded on these Principles, so they are grounded on the Eternal Moral Law; but I never affirmed they were Due by it, because Tithes, the *Quota*, is alwaies maintained by me to be a positive Revelation conveyed by Primitive Tradition to *Abraham, &c.* so that the Quaker here misstates the Question. But as to the Alienators how they reputed Tithes to be due, *T. E.* will teach us in his First Book, pag. 333. *Henry 8.* (saith he) *believed Tithes were due to God and Holy Church*, and pag. 334. *His Son Edw. 6.* (he saith) *was of his Fathers Opinion*. Well then they both were of Opinion as I am, *That Tithes were of Divine Right*; but saith *T. E.* they Alienated them: what then? It seems they practiced not according to their Opinion, and can I help that? Must I reconcile all mens Actions to their Principles?



ples? My Adversary is of Opinion, no doubt, that Integrity is a Duty by God's Law, yet he ordinarily Acts very contrary to his Opinion, and so did they; but their Opinion was Right, and their practice Wrong, which is all I need say in that matter. As for our paying of Tenth, that is no Alienation, for we pay not any part of our Tith in Kind to the King, and as the Clergy may dispose of Tith once paid them for their private use, so for the publick use also, especially when Law and Gratitude for the protection and priviledges the King gives them, oblige them to such a Disposal.

s. 7. **P**Ag. 78. This Section is spent in fighting with the shadow of his own petty Cavils, such is his Questioning, Whether the Protestant Clergy of the Church of *England* be that better Evangelical Ministry succeeding the *Levitical*? A truth owned by all sober Protestants at home and abroad, and questioned only by Quakers and Papists, justly yoked in our penal Laws under one Title of Recusants, as agreeing in several Tenets as well as this. But when the Pope proves his Deputation to be Christs Vicar and only Judge of all Gospel Ministers, or that Quaking Club at *London* (f), which challenge the same priviledge, clear their Title to it; then, and not before, we will give them a further Account. In the mean time, he grants the Maintenance of the Evangelical Priesthood

(f) See  
Enthusiasm  
no Christi-  
anity,  
p. 182.

hood ought to excel the *Levitical*, and therefore it must not be unfixed nor Arbitrary, as was noted before; Only his boldness in altering Scripture must not be passed by, for whereas St. Paul saith, the *Levitical* Priesthood is changed, T. E. both here and often elsewhere presumes to say it is ended, to infer a cessation of the Office and Maintenance too, when indeed both the Office, and Tithes the Maintenance, continue still, only they are changed, in the taking away what ever was Ceremonial from both, and this is all St. Paul warrants him to say, but his bad cause required he should alter the Holy Ghosts Sacred Phrase, and substitute another more agreeable to his own vile designs. Pag. 79. But, saith T. E. all things are to be New under the Gospel; and for this he cites Revel. xxi. 5. what the Ten Commandments, or the Duties of Prayer and Praising God? These are not made new, nor is the reward for these Duties to be made wholly new, only the Ceremonies pared off from it, as they are from the Duties. But indeed this place is generally explained of the state after the Resurrection, and if the Quakers will stay till all that is spoken there, ver. 2, 3, 4. be fulfilled, till there be a New Heaven and a New Earth, then Maintenance will be no longer needful, nor shall we dispute for Tithes any more. But while this World remains, and God is to be Worshiped by mortal Ministers with human necessities, the Reason of Tithes continue, and so must the Tithes themselves, they suiting all Priest-

Priest-hoods, that of *Melchisedec*, of *Levi*, and of Christ's Church also. There was difference between *Melchisedec*'s Priest-hood and that of *Levi*'s, yet no change in the proportion; the same number of a Tenth was retained, and must be still, though there be difference between this of *Levi* and the Gospel Priest-hood. And this sufficeth for the Lessons.

§. 8. **P**Ag. 79. The Quaker who cowardly hid his head while the premises were urged in the first period, and suffered the Reasons quietly to march by; now fiercely falls upon the Conclusion: and because my Positions are barely recited here, impudently brags they were never proved at all. But I know the Reader cannot but discern his dishonesty, and therefore taking these vile Methods for evidences of his lost Cause, I shall be very brief in my remarks upon these Pages. And *First*, since Tithe is but the fixing of Maintenance to one determinate proportion, and no more but Maintenance fixed; as Tithes are a Maintenance, they are grounded on the Law of Nature, which *T. E.* confesses, when he saith, *Maintenance is founded upon a principle of natural Justice and Equity*, pag. 62. *it is Moral and grounded upon Eternal Reason*, pag. 75. *Moral and grounded upon the Law of Nature*, pag. 85. But as Tithes are a certain proportion, so I alwaies declare they were grounded upon Primitive Revelation,

tion, which Revelation was proved better than ever any Quaker proved that which they call Revelations. The parties who are first read to have fixed on this part, being certainly inspired and guided by God's Spirit in all their solemn actions, and God recording it with approbation, and his imitating it in his own Written Law, with divers other evidences before produced, sufficiently make it clear. And that there is an internal rectitude in this proportion, must follow from the Wisdom and Justice of the Patriarchs who gave it, from God's own approbation of it, from the consent of all Nations unto it, and from the payment of it in all Ages; So that if the Maintenance be wisely and justly fixed (and he that denies that, must charge the Patriarchs and God himself, who directed them and approved their choice, and also both *Gentiles* and Christians, who imitated them therein, with folly and injustice). then, if this proportion be fit and just, it relies upon the same principles, upon which Maintenance did rely while undetermined; there is the same internal rectitude in it, the same Eternal reason for it. Nor can I imagine how Maintenance in general unfixed and arbitrary can be an equitable reward for a fixed and certain labour, since both Reason and Natural Justice require a certain reward for a certain work, and that our Wages should not be less when our work is more. This is all need be said to these impertinent Pages, only that he will do well to make sense of his Assertion, that

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Tithes

Tithes even under the Law ( when God commanded them ) did not rely on an Internal but an External Rectitude, which supposes that God chose a proportion that had no Internal Rectitude, that is ( in plain *English* ) no real Equity in it. And again, where he tells us, *Tithes are a circumstance of the Quantity of Maintenance*, whereas all other men think They are the Quantity it self. If *T. E.* were for his Maintenance to receive 40 *l. per Annum* out of 400 *l. per Annum*, and he that were to pay it should give him but 20 *l.* and tell him the fixed proportion was but a circumstance of the Quantity of his Maintenance ; I doubt it would prove such a circumstance, as he would count Essential, and think his Maintenance it self substantially impaired thereby. *Pag. 84.* To return to the Question, I granted in my 50 *pag.* that the giving Tithes by the Patriarchs, before the Ceremonial Law, would not absolutely and alone prove Tithes were not Ceremonial, because some things done by the Patriarchs then, were Ceremonial, I gave Circumcision and the Bloody Sacrifices for my Instances, but shewed withal the vast difference between those and Tithes: Circumcision having no relation at all to the Law of Nature, nor internal rectitude in it nor eternal reason for its continuance, being only an instituted Temporary Ceremony, and expressly in *Terminis* repealed in the New Testament, *Acts xv. 24. Gal. v. 2.* Bloody Sacrifices also being merely instituted as Types of Christ to come, and such



such Types they could no longer be, when he was once offered, no more than we can foretell a thing past; and these also in plain words repealed in the New Testament, *Heb. ix*, and *x*. Hence we conclude, these are purely Ceremonial. But Tithes are like neither of these, being grounded on an equitable and lasting foundation, and not at all expressly repealed in the New Testament, nor Types of Christ to come; therefore they are not purely Ceremonial. *T. E.* hath another Instance elsewhere of the distinction of clean and unclean Beasts before the Law, which was not a Ceremonial but a Natural distinction, as the best Interpreters agree, both Jews and Christians (*g*), and *Epiphanius* in the very place cited by *T. E.* affirms the distinction as Ceremonial was first made by *Moses* Law. But however if we grant it Ceremonial, it is expressly repealed in the New Testament, *Rom.*

(g) *Videtur hec distinctio fuisse in lege Nature. Tyrin. in Genes. Discrimen erat secundum Naturam eorum. R. Abarb. Immunda vocat non ex lege Moysis---sed ex iis que carne pasci caperant. Grotius.*

*xiv. 14. 1 Tim. iv. 3, 4, &c.* and so are not Tithes, and therefore not of the same Nature. And we do again affirm it as a general Rule, That whatever was practiced before the Law, enjoined by the Law, and not expressly repealed under the Gospel, that is not purely Ceremonial: But Tithes were of this Nature, *Ergo*, They are not purely Ceremonial. But he Objects, *Epiphanius*, *l. i. ord. 8.* gives *Tenhs* for an instance of shadows contained in the Law, making them equal

with Circumcision. It would puzzle his wife Citator to find this place thus quoted out of an Author which probably he never saw. But with much pains, I have found it out; and T. E.'s mistake also: For Epiphanius is speaking of those things which the Law taught the Jews, both Moral and Ceremonial things, *It taught them (saith he) to be circumcised, to keep the Sabbath, to Tithe all that was produced among them, and all that was born of Man and Beast, to give First-Fruits, a Fiftieth or Thirtieth part, To believe in God alone, and to serve him.* Thus far Epiphanius. Now are all these shadows? Is to keep the Sabbath a shadow? Or however, is to believe in God alone and serve him, a Ceremony? Yet these are ranked with Circumcision as well as Tithes. The things here ranked are of Different Natures; some wholly Ceremonial, as Circumcision; some partly moral, and partly (as then observed) Ceremonial, as the Sabbath, Tithes and First-Fruits; some only Moral, as Faith and Obedience, and therefore T. E. imposes a false sense, and draws an unjust inference from these words. Oecolampadius also as T. E. cites him, pag. 88. speaks of Tithes as paid with First-Fruits, and part of the Sacrifices to the Jewish Priest-hood, and so I grant they were Ceremonial as to the manner of paying them then: otherwise to reckon Tithes with bloody Sacrifices, is very incongruous, unless the one do as clearly Typifie Christ, and be as plainly repealed as the other, And though they should be any where put together, they

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are not alike in their Nature for all that ; which shews the Fallacy of his Reply to my Instance out of Malachi, where he notes Offerings are joined with Tithes, *Mal. iii. 10.* And yet he himself, out of Selden, grants in his 165 Page, That some kind of Offerings were in use among the Christians. And Irenæus saith, Offerings in general are not rejected; there were Offerings there, and there are Offerings here, only the kind is changed. 1. 4. c. 34. p. 363. Yea we read of some sort of Offerings yet required, *Rom. xii. 1. Phil. iv. 18. Heb. xiii. 15. and 16. Acts iv. 34. 35.* Offerings therefore, as far as they are Typical and Ceremonial, are ceased, and so are Tithes, and no further. So also Nehemiah's care of Tithes was bonum in se, a good Deed [חסד] he calls it, a word never used for the observance of Ceremonies, which the Prophet calls, Statutes that were not good, *Ezek. xx. 25.* that is, not in their own Nature, nor morally good: but his care of Tithes, and of Prohibiting servile works on the Day of God's peculiar Worship were both of them really and morally good Works: and I may ask whether this man with a Name dare say, nothing was Moral that Nehemiah took care of?

Pag. 86, 87. His silence confesses, That Tithes are not reckoned up in the New Testament among things purely Ceremonial, neither are they repealed there, as I shall shew presently (upon pag. 94. where he insists upon it again) when I have first examined his

Authorities brought to prove them Ceremonial. Which are so very few (only one Father for a space of 1500 years) if they did speak to his purpose, that to colour over the matter, he pretends, *That those who are acquainted with Books* (better, you must suppose, than he is) *cannot reasonably doubt that men of note in several Ages reputed Tithes Ceremonial.* I answer, had he or his Quakers been acquainted with Books, he would not, nor durst not have affirmed so horrible a Falshood. For not one man of Note, before these last Ages did ever so repute the Tithes paid to Gospel Ministers (of which we are now Disputing). And since Tithes were so certainly paid, and so often affirmed to be due within the first 500 years, 'tis very strange if they had been thought Ceremonial by any men of Note; those Noted men did not reprove the Doctors and the People for bringing an abolished Ceremony into the Church, since all men of Note do so fully dispute against the restoring of those that were really abolished Ceremonies. Their silence (who do not expressly write for Tithes) argues they counted them not Ceremonial: How many Canons are there against other Jewish Rites? *Can. Apost. 69. & 70. Concil. Laodicen. Can. 29, 37, 38. Concil. in Trullo. Can. xi, &c.* yet not one against Tithes: Wherefore I assure the Quakers that *T. E.* hath brought all the men of Note he had for old time, and this all, is but one; yet neither doth he assert what *Mr. Selden* and *T. E.* would have him,

him, viz. That Tithes are Ceremonial : for Epiphanius is not speaking of Tithes as they are or were paid to the Ministers of the Gospel, but of Tithes, as prescribed in *Deuteronomy*, and paid to the *Levitical Priests* as appears by the words before the sentence which T. E. had out of Selden, *When Moses the Law-giver had finished the Law which God gave him to promulgate in the last Book of Deuteronomy, he puts all the Curses which concern not only the Passover, but Circumcision, Tithing and Offerings, therefore if they avoid one Curse, they fall into many, &c.* as T. E. cites it. Now those Curses were annexed, not properly to omitting Tithes, but to the not paying them in the manner appointed in *Moses Law*. And if a Jew had paid a Tenth, and yet not with the Ceremonial Appendages, he had fallen under the Curse, which is the very Case of the *Tessarescaidecarite*, whom Epiphanius disputes against there, not for keeping a Paschal Feast (for the Church of Christ, he said, did so) but for keeping it at the time prescribed in *Moses Law*, viz. the Fourteenth day of the Month, and for pretending they should incur the Curse of the Law, if they did not observe this Ceremonial Appendix of the Paschal Feast : Wherefore he rightly tells them if that Curse were in force, it would oblige them not only to keep the Passover with the Ceremonial Appendage ; but to do all other things with their Ceremonial Appendages required in that Law ; and that the doing one thing in the Jewish manner



would not free them from the Curse, unless they did all else so, that were there required, grounding his Argument upon, *Deut. xxvii. 26.* and *Gal. iii. 10.* And since these *Tessarescaidecatis* did all else in the Christian manner (as *Epiphanius* confesses) therefore it is the Manner of doing these as the Jews did, which he disputes against as Ceremonial and abolished, not the Things themselves. The Church kept a Paschal Feast, he condemns not that for Ceremonial. The Church offered, he condemns not that for Ceremonial; but doing these in the Jewish manner he condemns as Ceremonial. Besides, others expressly say the Church gave Tithes then, and *Epiphanius* confesses, they gave First-Fruits, *pag. 476.* and if these men did all else as the Church then did, then 'tis likely they gave Tithes and First-Fruits, but not in the Jewish manner, for according to *Epiphanius* his Argument, 'tis not Tithes are Ceremonial, but the Jewish manner of paying of them; yea he wonders if they thought that Curse in force, why they did not offer at *Jerusalem*, why they did not take a Lamb the Tenth day, &c. that is, why they did not do all in a Ceremonial manner? And *T. E.* may as well conclude *Epiphanius* thought the Gospel way of keeping a Paschal Feast, or of Offering, to be Ceremonial, as the Gospel way of paying Tithes: for no more can be inferred from this passage, than that the Jewish manner of paying Tithes was Ceremonial, which we alwaies have acknowledged. And that is all that

that I can discern in *Oecolampadius* (as I noted before) who evidently alludes to the Jewish Priests, who in St. Paul's Phrase, *1 Cor. ix. Serve at the Altar, and live by the Altar.* Now the Tithes which these received after the *Levitical* manner were Ceremonial. But I need not much regard his Opinion, who is but a late Author, dying *Anno 1531.* and we have divers others of as great Name both Foreign and Domestick to weigh down a better Authority than his (as shall presently be shewed). As for *Brute*, every Quotation gives new Testimony of his gross ignorance, and in this he thinks Tithes were ordained to reward the Priests for the labour about Sacrifices, when-as the Sacrifices themselves richly paid them for that trouble, and the Priests who offered Sacrifice had no Tithes at all of the people, as even my Adversary observes, *pag. 35.* Again, this *Brute* asks, why First-Fruits were not demanded of Christians, when as they were a voluntary Offering not demanded of the Jews? And if he thought Christians did not offer First-Fruits, he must needs be utterly ignorant of the state of things in the Primitive Church. Indeed he poorly begs the Question, and except his own asserting Tithes are Ceremonial, gives not one Reason to prove it; so that to differ from him and his illiterate Fellows in this perswasion, *viz. the Mendicant Fryars* (see *Selden*, chap. 7. p. 167.) is the way generally to be in the Right. As for his *Bohemians*, 'tis like, their reformation began in Sacriledge, and this Opinion was  
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*Dignum parcella operculum*, a good Skonce for their covetous spoiling their Clergy of their Revenues. But that we may see the judgment of Learned and sober Reformed Divines, I shall select a few instances, *Gualterus*. A Learned *Tigurine* Divine, professedly disputes against the Opinion of Tithes benig Ceremonial, and answers the Arguments brought for it, in his Commentary on *Matth. xxiii.* and concludes, *Tithes ought to be transferred to the Church of the New Testament: for though the Levitical Priest-hood be abolished, and the legal Ceremonies are ceased, yet there remains a Ministry of the Gospel.* *Gualt. Comment. in Matth. xxiii.* Another Learned German Doctor saith, *Tithes are part of that stipend, which is due to Ministers for the Labours of their Office by the Divine and Natural Law.* *Zepper. de leg. Mos. l. 4. c. 40.* *Peter Martyr* being invited into *England*, joyned with Arch-bishop *Cranmer* in that Reformation of Ecclesiastical Laws, which was begun under King *Henry the Eighth*, and polished under King *Edward the Sixth*: and therein is one Title of Tithes, and nineteen Chapters concerning the payment of them in this Nation, which shews he did not account them abolished or Ceremonial; yea in his *Common Places*, he saith, *The payment of Tithes, since Christ came, is not a Ceremony any longer—for our Ministers now receive Tithes; but by what Law? verily not by the Ceremonial but the Moral Law.* *de Civ. Eccl. pot. §, 38.* The Learned *Bullenger* also is of our Opinion, for he saith, *They are Sacrilegious,*

gious, who either not pay at all, or not fully, the Goods due to the Church, as Tithes and other Revenues — and a little after, The Clergy may possess these by as good right as any man doth the profits of a Field he hath Tilled. Bull. decad. 3, Ser. 1. The Great Chemnitius also saith, Tithes as they contain somewhat Moral — are not taken away; wherefore pious Emperours when they became Christians, in their Religious care — gave Tithes, rather than any other Revenues, that so they might imitate God — therefore the people are to be admonished to pay Tithes faithfully. Chem. Harm. Evang. C. 109. To these may be added Brennus in Levit. xxii. 30. Junius Paral. L. 3. C. 7. Zanchius de redemp. in 4. præcept. C. 18. L. 5. and many more Testimonies: but these sufficiently out-weigh T. E.'s pretended Authorities.

Pag. 90. His next Authority is Dr. Fulk: but T. E. is mistaken to think his Adversaries were Jesuits, for the Colledge of Rhemes now Translated, or returned to Doway, did alwaies and doth now consist only of Seculars, as a Convert to the Protestant Religion, educated there, and others do fully assure me, Hist. of the Church of Britain, Printed 1674. pag. 234. And the Jesuits agree with the Quakers in denying Tithes to be due by the positive Law of God. But is it not a strange impudence in T. E. pag. 291. to say, It is evident, that Fulk accounted Tithes a part of the Ceremonial Law abrogated by Christ? and in the next line to affirm, He thought they might be  
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retained. As if the Doctor were so stupid as to maintain, we may retain that which Christ hath abrogated. Did ever any Protestant think we might retain Circumcision, or bloody Sacrifices which Christ hath abolished, and which *T. E.* ever ranks with Tithes? Hath not the Quaker spoiled his own Cause by bringing his pretended Witness, saying, *They may be retained.* Since that assures us, he thought them neither Ceremonial nor abrogated. And so do the rest of his words cited by *T. E.* For *Fulk* saith, *The payment of Tithes, as it was a Ceremonial Duty, is abrogated with other Ceremonies.* Which is no more than I say, viz. that so far as Tithes were Ceremonial, so far as the *Levitical* Law had superinduced new Modes in the paying them; so far they are abrogated: *But as it is* (saith *Fulk* in *T. E.*) *a necessary Maintenance, it may be retained.* It seems then he accounts Tithes as now paid, a necessary maintenance, or however such as may be retained, which no abrogated Ceremony may: *Ergo*, the Doctor is no witness for the Quaker, but Testifies for me in this point, that Tithes, as they are a Maintenance for the Ministers of the Gospel, are not abrogated, nor Ceremonial.

Pag. 91. How he abused his other witness Dr. *Willet*, in leaving out his words, I shewed in the Introduction, and now will observe, that he hath as basely perverted his sense, for *Willet* only saith *Fulk* did before, that *The Law of Tenth is not necessary now as it was Ceremonious, and confesses that it is lawful to keep that*



or any other constitution: So that he did not think Tithes abrogated or Ceremonial, and is no witness for T. E. in this Case; yea he proves the Quaker a manifest Lyar in saying, *He plainly calls the Law of Tithes, Ceremonial.* T. E. p. 91. for he neither calls it so, nor counts it so, but *a Judicial and Politick constitution of that Country, neither binding us, nor forbidden to us, but left indifferent:* as the Quaker himself (to his own confusion) cites him in the next Page. And was Willet so absurd to say, an Abrogated Ceremonial Law was left indifferent, and was capable of being established by Christian Magistrates? 'Tis plain, his private Opinion was, that Tithes were a Judicial Command under Moses, with some Ceremonies annexed; which Ceremonies being pared off, the Tithes themselves might well be appointed for a maintenance to Ministers of the Gospel. And to manifest the abuse T. E. hath put upon the Doctor, let the Reader consult him in his *Synopsis Papiſmi*, p. 313. and he will find that where T. E. breaks off after these words [— *were bound to pay Tithes*] The Doctor goes on and shews, *How far forth he held Tithes grounded upon God's Law*; giving divers reasons why they ought to be esteemed so grounded. And pag. 311. he saith, *It is agreed, that Tithes are only due to the Church, and cannot be alienated to any other use, nor turned to the use of any Layman.* And again, out of the Council of Cabilon, c. 18. he affirms, *That to withhold Tithes is no small sin, and deserveth Excommunication,* p. 312.

p. 312. and *ibid.* The Tenth is God's part, and by him it is assigned to his faithful Ministers; yea he affirms, Tithes are a due Debt, and so no Alms: Wherefore I conclude T. E. hath falsely pretended to this witness also; nor hath he any but his fellow Brute to joyn with him in this false and foolish Assertion, That Tithes are Ceremonial. But on the contrary, our greatest and best Learned English Divines alwaies maintained, that Tithes were Due to the Gospel Ministers *Jure Divino*. That our Holy Martyrs *Cranmer, Ridley, Latimer, Hooper, Taylor, Bradford, &c.* received Tithes, and counted them a maintenance due to Gospel Ministers, is most evident, and T. E. dares not deny it. And indeed the words of the Statute in King *Edward* the Sixths daies consented to by all the Bishops, shew they believed them due to God and Holy Church; and that famous Book of the Reformation of Ecclesiastical Laws, begun by Bishop *Cranmer*, and perfected afterwards by 32 of the Eminentest Divines and Lawyers of *England*, sufficiently shews, that our admirable Reformers were of this Opinion. *Edwyn Sandys*, <sup>Arch</sup> Bishop of *York*, saith, They who take away Tithes, spoil God. Sermon on *Matth. xxi. 12, 13.* The excellent Bishop *Jewel* affirmeth that, Taking away Tithes is a grievous sin; and he calls them, The Patrimony due unto them that attend in the Lord's House—the things that belong to God. Sermon. bef. Qu. Eliz. *Psal. lxxix. 9.* p. 194. Bishop *Babington* saith, that God hath required it at man's hand to give Tythes——so that our  
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sin must be upon our own heads, if we do otherwise, since God's Will is known to us——and he cites the place of Origen's Homily on the place, cited before. *Babington on Numb. xviii.* Mr. Hooker saith, *The Scripture hath left us an Example of that particular proportion, which for Moral Considerations, was thought fittest by him that could best Judge——* and since they have been given to God, he makes no doubt but now they are due by Divine Right. *Eccles. Pol. li. 1. 5. s. 79.* Dr. Field doth Learnedly Dispute against *Bellarmino*, and strongly proves, *That Tithes are now due to Christian Ministers by the Law of God.* *Field of the Church, lib. 5. p. 512. to p. 513.* Bishop *Raynolds*, out of the Seventh Chapter to the *Hebrews* also demonstrateth, that Tithes are Originally due to Christ as he is a Priest, and in his Right to us. *Raynolds in Psal. cx. pag. 474, 475.* To these we may add those who in Printed Discourses have Learnedly and strongly proved, that Tithes are due to Gospel-Ministers now *Jure Divino, viz.* Bishop *Carleton*, Bishop *Andrews*, Bishop *Mountague*, Bishop *Gauden*, as also Dr. *Sclater*, Dr. *Tildesly*, Dean of Dr. *Bafre*, Mr. *Roberts*, B. D. Mr. *Perrot*, B. D. and many other Divines, to whom we may joyn those two worthy Knights (both well skilled in Divinity, and all other Learning, though no profess Divines) Sir *James Sempil*, and the Renowned Sir *Henry Spelman*: from all which evidence we may be assured, that it hath been the constant judgment of the most eminent

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Protestants of the Church of England, that Tithes are now due by God's Law.

Pag. 93, 94. After all other Authorities T. E. brings his own, and spends a whole Page in vying credit with me, and by his bare [say I] confutes my [says he]; but if he be at leisure to play the Fool, so am not I, who never desired my own word to be taken, but where I give just reasons for it. We proceed therefore to his so much and so often brag'd of Repeal, viz. Heb. vii. 12. pag. 95. And yet pag. 124. he only asks, *If this may not be called a Repeal of Tithes?* And a little after, all he can say of it is, *There is enough said here, to warrant a conclusion, That Tithes are ended; though the word Repeal be not used:* So that 'tis plain, and yet admits of a Question, 'tis express, and yet the word not expressed, and the thing can but be deduced (even in T. E's own Opinion) by way of consequence: And 'tis like he doubts there is no express Repeal, which makes him labour by so many Arguments to prove there is no need of one. *First* (he saies) *because the Right I insist on, antecedent to the Levitical Law, was not grounded on an Express Command.* But 'tis grounded upon plain Evidence, that the Tenth was that part which God would have given to his Priest, and to the maintenance of his House, and that God approved of and was pleased with that part, yea that God directed his inspired Servants to the choice of that and no other: And therefore cannot be revoked, but upon

as plain evidence that God's Will is not to have that part now, that he now disapproves of it and rejects it, and hath directed his Apostles to the disowning of that, and the choice of some other part. Besides, Sacrifices were instituted at first without any exprefs Command, and yet the Holy Ghost thought fit to leave an exprefs Repeal for them; although Sacrifices were so immediate a Type of Christ's sufferings, that it would have been much easier to have known God's intent to have them abrogated without any exprefs Repeal, than Tithes, which are but that maintenance wisely and by God's Direction fixed; which maintenance is in it self moral and due by the Law of Nature: for who could suspect, that a Number or a determinate Quantity of that which our Adversary saith was due by the Law of Nature, a Number that never Typified any thing under the Gospel; a Number so early fixed on, so Universally, and so long approved by God and all mankind, should be abrogated without an Exprefs Repeal? Secondly, He alledges, *The Assignment under the Levitical Law was only to the Priests for the time being.* True, but the Right was declared to be God's before that Assignment, and being assigned to them, because they were then God's only Ministers, meerly with respect to their Office, when they cease to be his Ministers, reason will tell us, that since another and a different Priest-hood had the Tenth before *Levi*, *Jure Officii*, if there be any other Priest-hood after *Levi*, to it they would fall



## The Right of Tithes

due, unless there be an Express prohibition. Now the reason continues, God hath Ministers, and those Ministers have Service to do for him still, and necessities to be supplied, and why should not these Ministers have that which alwaies belonged to God's Ministers? Nothing but an Express Repeal can satisfie an unprejudiced man. Let us therefore examine his pretended Repeal: which is this, *For the Priest-hood being changed, there is made of necessity, a change also of the Law*, Heb. vii. 12. Now Tithes are not once named here, and therefore this is no express Repeal of Tithes; nay if the word had been here, and St. Paul had said—— *a change also of the Law of Tithes*, that would not have proved the proportion abrogated, only it might have declared some alteration in the manner of paying them; even as the change of the Priest-hood doth not signifie the abrogation, or ending of the Office, for St. Paul himself assures us there is another Priest-hood now, only the word [ *Change* ] notes the Ceremonies were pared off from the Office, and consequently from the Law. And 'tis high insolence in T. E. here and elsewhere to alter the Holy Ghosts word, and put in [ *Ended* ] instead of [ *Changed* ]. The most therefore that can be made of this Text is, that it is a Repeal of what was purely Ceremonial in Aaron's Priest-hood, and Moses Law; and T. E. most miserably begs the Question he was to prove, viz. That Tithes as a fixed proportion, and as paid now to Gospel Ministers

nisters, were purely Ceremonial, before this Repeal can stand in any stead. At present he can extort no more from it, than that it Repeals all that was purely Ceremonial in the *Levitical* Tithes, and all that, I grant, is abrogated, *viz.* all that was new and superinduced by that Law to the elder Duty of Tithes, not the very part; nor the paying that to such as should be God's Ministers, for *St. Paul* takes it for granted in this very Chapter, that receiving Tithes certainly proves a Priest-hood, and indeed is so far from saying any thing against Tithes (as they were paid before the Law, or were to be under the Gospel) in that Chapter, that he affords many Arguments to prove them Due now, as I shall more fully declare in my next Period. And now we see after this Mountain had Teemed so long with a Repeal, it produces nothing but a ridiculous Moule: Wherefore Tithes, which were practiced by God's Direction before the Law, continued by his Express approbation under the Law, and never Repealed under the Gospel, are not Ceremonial, nor abrogated, and the *Levitical* Ceremonies being laid aside with the Law that superinduced them; we rationally conclude it is the Will of God that very part should be paid to his Ministers still, and if his declared unrepealed Will be a Law to us, Tithes are still due *Jure Divino*.

## C H A P. III.

S. I. **P**Ag. 97. In the Entrance of the Third Period under the Gospel, my Adversary grants, *That the Ministers of the Gospel may claim a Maintenance in general, Jure Divino, in regard such a Maintenance is Established by Divine Authority.* So that we only differ about the proportion of this Maintenance: and because I proceed upon the principles I had proved before, to infer, the proportion was a Tenth; he calls this *Petitio Principii*, yet never perceives that his own Argument is nothing but supposing his own opinion was right, and so he is really guilty of the fault he falsely charges on me. And truly, this is the great Cheat of his whole Book, to slip my proofs in their proper places, or give frivolous Answers to them; and when he is got at a distance, he confidently avers, I proved nothing, and you must suppose he hath proved all his Assertions: grant him these two Things, and he can answer any thing, or else the poor man is quite undone: his water sticks, and he can go no further. Which unfair dealing having noted, I am willing any judicious person who hath read my Discourses shall Judge whether I have proved the Tenth to be the proportion or no. And thus I proceed to make it out still more clearly: *First*, If a Maintenance be  
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established, it is not left free and Arbitrary (as *T. E.*'s Gospel-maintenance is, p. 132, 345.) for so men might choose to give nothing, or not so much as would be a maintenance. What is left so loose can scarce be said to be established. Nor is it easie to conceive how a maintenance can be settled and established but in some *Quota*, his *Bohemians* establishment being settled, and certain stipends. *Seld.* Hist. cap. 7. p. 168. and so are the Salaries where popular fury precipitated the Reformation, as *T. E.* grants, pag. 65. and to me it seems, if the proportion be not established, the maintenance is loose, unsettled, & unfixed still: Doubtless therefore Christ's Establishing a Maintenance in general, was upon supposition, the proportion was well known & certain before, and so 'twas needless to reinforce that. 'Tis sure it cannot be a good, nor a certain provision, unless it be in some fixed proportion, and suppose Christ hath not set down in words express in the New Testament, that the Tenth is that proportion; it remains that we enquire what proportion is best pleasing to God, and his Will was sufficiently declared before (without any Repeal) that the Tenth is that proportion, and neither Old nor New Testament mentions any other part as to this matter, and therefore how can we choose, or why should we think of any other? Will not Christ's Establishment of maintenance in general establish this very part which alwaies was the proportion? Or can any think he would be so careless of his Mini-

sters as not to settle their maintenance? or so forgetful as not to forbid this part and substitute another, if he had disliked this, and liked another better? Upon which grounds, I conclude, that Christ's Establishing maintenance did establish it as to the Quantity in the same proportion it was before. But of this we have more evident proofs, which we shall produce as soon as T. E. comes to the point.

S. 2. **P**ag. 100. But in hopes to blunder the Question, and confound the Reader, he carries us into an impertinent Ramble of above twenty Pages together.

1. To perswade us that his Quakers are not to pay us this maintenance.
2. And that Christ hath expressly set down *Meat* and *Drink* for this maintenance.

The occasion whereof was briefly this: After T. E. had confessed all that my Friend (not insisting then on the Divine Right of Tithes) intended to prove by these Texts in *1 Cor. ix.* and *Gal. vi. viz.* That maintenance in general to the Ministers of the Gospel, was just, reasonable, and established by Divine Authority; fearing some further use might be made of those Texts to prove the *Jus Divinum* of Tithes, and to condemn his Quakers, who give us no sort of maintenance, he labours to perswade us, *First, That the principal scope of the Apostle, in those places, is to set out, not what the Maintenance is, but from whom it is to be received.*



ceived. The fallshood of which pretence I shewed before, but since he Cavils still, and will not recede from so plain an Error, because 'tis for his advantage, I shall now further manifest it : And whosoever reads the first place, 1 Cor. ix. will see that the principal scope of the Apostle is, to assert his own, and the Gospel Ministers Right, to be maintained without working for their Living. And all his Instances, set out the right of a Souldier, Vine-dresser, and Shepherd, to be maintained, his mystical Interpretation of that Precept of the Law, *vers.* 8, 9, 10. is to prove, that God intended to secure his Right ; and the excellency of this Employment proves, this Right was reasonable, *vers.* 11. And so doth the Example of others, *vers.* 12. so that his omitting to make use of his just power, ought not to make them think he was not invested with it, since he had a peculiar reason then for not exercising it. And then he comes to the Two Verses mainly insisted on, *vers.* 13, 14. wherein he shews what the maintenance is, that he had this Right to, by paralleling it with the maintenance under the Law, and asserting that Christ had taken like Care under the Gospel ; and to assure us he was speaking of the things by which Gospel Ministers were to be maintained, he goes on, *vers.* 15. *But I have used none of these things.* Little or nothing here of the people who were to pay this, and what is said of them is but accidental, and as it is necessarily connected to the business of his Right who is to receive it.

And in the two principal Verses, not one word of the People; but as *Theophylact* notes, the Apostles Phrase purposely sets aside those who paid it, For he saith, *not, the Jewish Priests take it of the Offerers, but they partake of the Altar*—in like manner he doth not say, *the Lord hath ordained they shall live of the Disciples*—but live of the Gospel, That the givers be not puffed up, for thou dost not maintain him (saith the Apostle) but his work, viz. the Gospel. *Theophyl. in loc.* And the same Author saith this whole Discourse is an Answer to this Objection, Thou (say the *Corinthians* to St. Paul) hast no Right to Maintenance, and therefore thou dost not take it. id. *ibid.* *Epiphanius* also speaking of this very place observes, That the Scripture saith concerning Ministers, because of their continual employment about the people, and their Ecclesiastical Administrations, Who feedeth a Flock and eateth not, &c. *Panar. l. 3. T. 2. hæ. 80.* It was therefore the Ministers right, and the nature as well as the equity of their maintenance, which was St. Paul's scope here. As for the peoples duty to give, there was no Question about that, for *They gave to others*, vers. 12. yea 'tis evident St. Paul makes no exception nor limitation, but pleads his power and right to receive maintenance from all the Christian Church of *Corinth*, although 'tis certain some of them did not receive him, nor like him so well as other Preachers, *1 Cor. i. 12.* yea some followed false Teachers, and yet without distinguishing these from the rest, he pleads

pleads his Right with respect to all professed Christians there: so far was St. *Paul* from thinking the peoples sin in seperating from their Minister duly commissioned, could free them from the Duty of paying maintenance to him, and so far was he from making that his principal scope as *T. E.* pretends. As for his trick of Printing [*Them and Their, You and Ye*] in great Letters to colour his fallacy, 'tis a poor shift, and if I should Print the words [*I, we, mine, my*] in such a Character, it would easily remove that device, vers. 1. *Am [I] not free?* vers. 2. *If [I] be not an Apostle to others, yet doubtless [I] am to you; for the Seal of [mine] Apostleship are ye, &c.* vers. 3. [*Mine*] answer to them that examine [*me*] is this, vers. 4. *Have [we] not power, &c.* But I am not at leisure to trifle, and 'tis not words but sense I consider.

Pag. 104. He Cavils still about the Instances of a Souldier, a Vine-dresser, a Shepherd and an Ox: but let him answer one Question; Did St. *Paul* compare the people to these, or the Ministers? If the Ministers, 'tis plain, he is making out their Right. And let it be observed, that though the people be defended by the Souldier, and his pay is raised often from their Labours, yet they are not properly said to set him on work, nor to maintain him; his Prince Lists and paies him, and he is his Servant, not the Peoples Hireling; nor can the Vine or Flock, though they feed

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4x. 14.

feed those that look to them, be accounted the Masters of their respective Guardians. But the great Husbandman who ( in this comparison ) is God, who sets Ministers on work, and is owner of the People, Vines and Flock, and out of his own Rights, the Tenth ( due to him in acknowledgment of his bounty in giving the rest ) he maintains and paises them : which is rationally made out by the ingenious Mr. *Mede* ( a ), in his Discourse on this place. And can it be likely *St. Paul* should speak of the peoples maintaining their Ministers, when indeed they cannot properly be said to maintain them at all, as his very instances do shew? Nor is there any great matter, in what he asserts with so many brags, pag. 105. viz. *That it is unreasonable and unjust for one man to keep the Ox, while he is treading out Corn for another* : For if his Corn might be trod out with the same Labour, and the only Reason why the Ox did not tread it out, was because the Farmer was so lazy, he would not lay his Corn down, I see no such unreasonableness for the lazy Husbandman to joyn toward his keeping. Beside *T. E.* must beware of this Assertion, which taxes *St. Paul* for an unreasonable and unjust man, who while he trod out the *Corinthians* Corn, took wages from other Churches for which he could do no Service then, 1 Cor. xi. 8. And 'tis not counted unjust to make a man pay for an Ordinary which was provided for him, though he did not actually eat of it; because he might have come if he pleased. And

And we pay often for Priviledges, which we never make use of, only because we may use them if we will. As for the other place, *Gal. vi. 6.* *T. E.* denies not, that the Apostle doth there give a Character of the maintenance, but (if he may be his own Judge) that is not *St. Paul's* chief intent. Whereas there is but only the bare mention of ὁ κηρύττων τὴν λόγον, which is no more than the Periphrasis of a *Christian*, and came afterwards to be the name of *New Converts*, hence called *Catechumens*. And we may note *St. Paul's* precepts are there directed to all *Christians*, as *vers. 4.* *Let every man prove his own work*; &c. and *vers. 9.* *Let us not be weary*, that is, (us *Christians*) so *vers. 10.* *Let us do good to all men*, &c. So that here is no limitation as to the persons giving. But as to the Maintenance it self, here is noted, *First*, How it must be given, *viz.* κεραιόμενος, set out, and dispensed, so as the Minister may have his share. And *Secondly*, Who it must be given to, τῷ κηρύττειν, to him that hath the Office of a Teacher; and *T. E.* may as well pretend, the Minister must be alwaies actually teaching, from this Phrase τῷ κηρύττειν, as that the people must be actually Taught, from the other. Again, what the maintenance is, and whence it must arise, and of what it must consist, is also plainly set down here, *viz.* ἐν κτήνι ἀγαθῷ, *viz.* some part of all his Goods, not in Money alone, or a *Bohemian* Stipend, but a maintenance in kind, such as Tithes are. And this last being peculiarly  
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manifested in this place seems to be the main scope of this Text.

§. 3. **PAG.** 106. Yet *T. E.* (who like those old Hereticks, *Facilius vinci possit quam persuaderi*) wrangles still, though only to shew his own obstinancy: For whereas he pretends, *St. Paul would not expect Maintenance from the Proud, the Lazy, and the Obstinate*: I answer, that surely he would not exempt professed Christians from obeying one Law of God meerly because they broke another; for so he should have encouraged their sin, by letting them have advantage by it. I am sure he did not think fit then to let people choose Teachers according to their own fancy, meerly to allay the itch of their conceited ears, *2 Tim.* iv. 3. nor yet to run into Factions, no not after *Paul*, *Apollos*, or *Cephas*; nor did he allow them to reject all human Teaching on the Quakers pretence of being taught by Christ immediately, *1 Cor.* i. 12: *Chap.* iii. 14. making this which is now made a sign of being Spiritual, to be an evidence of a carnal man. If they once received Christs Doctrine, they were then to receive such Teachers as his Apostles sent to them, and set over them, and to maintain them Honourably: and much more ought men to do this, now that the Church is settled and governed in an ordinary way, like other Societies of men. To allow men now to choose or refuse Pastors at their pleasure, is to take away the power

power of Christian Kings and Bishops, and to reduce all into a wild confusion. And since St. Paul so briskly asserted his right even when he would not use it, and claims to be maintained by the *Corinthians* in general, among whom was some as proud and obstinate as our Quakers (despising his Excommunications) 2 Cor. x. 2, 6, 10. surely he would not exempt any such, under Christian Magistrates, and in a settled Christian Church. And whereas he pretends, *If all such should be drawn in to maintain Gospel Ministers, the Heathens would not be exempted.* That is a poor fallacy, since the [ *all such* ] that I am speaking of, are Proud, Lazy, and Obstinate Christians; so that T. E's wise Consequence is, That if Proud, Lazy, and Obstinate professed Christians must maintain Ministers; then Proud, Lazy, and Obstinate Heathens must do so too: and because Subjects must obey, Aliens must obey also; but I hate to dwell upon those his impertinencies.

Pag. 108. 'Tis T. E's Character of a Knave, to pervert the Apostles sense to uphold a selfish Interest, and I doubt he will be found guilty of so doing in his pair of Inferences, which he saies are all that can be inferred from these Instances: His First is, *That a Gospel Minister may expect and receive a Maintenance from such as receive his Ministry.* His Second, *That he ought not to expect any Maintenance from them that do not receive his Ministry.* And is this all? Many other things we have shewed may  
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be inferred from these Instances, and more we shall shew ; and since there is nothing in either of these Texts, importing any power in the people to receive, or not receive their Minister and his Ministry; these are not rightly inferred from hence, but imposed upon the Apostle to uphold the Quakers Interest, and justify their Faction and Injustice, who do *First*, assume to themselves a power to allow or disallow, receive or reject their Lawful Minister. *Secondly*, And on pretence of such rejecting, unjustly detain his Dues. 'Tis these Two darling Tenets have bred this long Digression ; but I affirm they are as false, as they are pernicious ; the ground of them being absolutely destructive of all sort of Government, Civil and Ecclesiastical, Military and Domestick ; and the certain and speedy way to bring a Kingdom or a Church, an Army, yea a Family it self to confusion and ruin : for if the people may reject their Prince, he Reigns at the mercy of every *Demagogue* that can but pretend dislike enough to draw in a party, and then Rebellion is no sin. And if the Hearers may reject those that are over them in the Lord, 1 *Thes.* v. 12. Then the Church must be divided without remedy ; and Schism ( which Scripture condemns ) is no crime. No Army can be preserved, or conducted, if the Souldiers may disobey their Commanders, upon pretence they do not receive or approve of them : No Family can subsist, if the Servants and Children may discharge themselves from their Duty by rejecting

cting their Master or their Parents. This accursed principle vindicates those Rebels in the Gospel, who sent their King word, *He should not Rule over them*, Luke 19. 14. This principle turns the Heels of Government upwards, and makes those who are Governed to become Governours; it would extirpate all Societies from among men, and reduce us to Mr. *Hobbes* his imaginary state of Nature; for if they may reject those who are over them in Spirituals, they may by the same pretence reject those who are over them in Temporals, and Level all at last: So that the Government where such principles are taught & embraced, is bound in its own defence to suppress the abettors of them: Especially because *Secondly*, They infer, that upon this rejecting they are discharged from paying of those Dues, which are the support of their Civil or Ecclesiastical Superiours, upon which ground they may deny Tribute to the Prince, as well as Tithes to a Priest; and a man by his own stubbornness, may free himself from all his obligations of rendering what is due by Divine or Human Laws to any sort of Superior; which is absurd, and an Inference, that no sort of men but Quakers make. For the Primitive Christians approved not the Religion, nor the manners of the Heathen Emperours, yet they paid them Tribute. The *French* Protestants do not approve of their Popish Ministers, nor partake of their Ministry, and yet they pay them their Tithes. But 'tis not strange to find Quakers contrary to all mankind.

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Pag. 109, 110. If *T. E.* should pretend this was not his sense of [ *Receiving our Ministry* ] this Period will assure us it was, wherein he fallaciously supposes our case in a settled Christian Church, to be the same with the Apostles in their first Mission to the Jews who had not heard of the Gospel before : as if because those Jews were not obliged to maintain the Disciples till they had received the Christian Doctrine, therefore now such as profess themselves Christians and subjects to a Christian Prince, were at liberty to own or not to own the Ministers which their Prince and the Laws set over them; and by not owning them, were exempted from the maintenance assigned them by the Laws of God and the King; which is to reduce us to exchange our Garments for Fig-leaves, and our Houses for *Adam's* shady Bowers, and to oblige us to do that out of choice which they did out of necessity, yea to throw away our conveniencies meerly to imitate those who could not procure them. The Apostles were first to make men receive the Gospel, and then to expect maintenance. We live with these who have owned themselves to receive the Gospel, and so are obliged to maintain the Ministers of the Gospel : and since they live in a Country where Flocks are divided, and particular Shepherds set over the several Flocks, the Sheep must not now pretend a liberty to choose their Shepherd, nor to refuse those and with-hold maintenance from them,



them who by just Authority are Commissioned to feed and watch over them: Every single Minister is contented with the Maintenance allotted him from his own Flock; no particular Sheepleard pretends to expect a Maintenance from all Christians, nor did I mean any thing more, than that all Christians in a settled Church, must belong to some Flock or other, and so give Maintenance to their proper Pastor; all must give it to some or other, which Duty they are not to exempt themselves from, on pretence that they (who are private persons,) own not their allotted Sheepleard; but have chosen themselves another who brings no Commission from Lawful Authority to prove his Right or Office in an Ordinary way, nor no Miracles to prove he is immediately called and sent by God; and yet is admitted for a Speaker among the Quakers.

Pag. 111. 112. But if we understand by *receiving our Ministry*, only partaking of it, and hearing us, I noted that T. E's supposition, viz. That Maintenance was only due to those who received a Ministry, would Free the Primitive Christians (whom he thinks immediately taught of God) from all obligation to pay any Maintenance at all, because according to the Quakers Fancy they needed no Ministry at all of Men; this was only *Argumentum ad hominem*, yet it harpers him so, that he struggles for 2 or 3 pages to get quit of it: And though the case were

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put only concerning Christians, converted and professing themselves such; He miserably shifts us off with this poor pretence, that unconverted Jews and Gentiles needed a Ministry to convert them; but this is nothing to the purpose, wherefore He tries another way, *viz.* That such as were converted needed a Ministry to build them up, exhort and excite them; but *this is no more than to explain and apply that which they know already*: Which T. E. will not allow to be a work sufficient for us Priests to claim Maintenance for, see his first Book page 216. 233. 268. and again here pag. 375. yet at this pinch he is forced to confess, it was all the Gospel-Ministry had to do for converted Christians in the Apostles days: So that he is glad to make use of that Position to serve his own turn, which he had derided his Adversary for before. As for the assurance he gives me that the Quakers have no need of our Teaching, that only signifies they are wise in their own Conceits, for it is generally observed, there are not so ignorant a sort of Men in the whole Kingdom as the Quakers generally are: One of which Sect went about to prove to me that Women spoke in the Apostles days, because it was written; *that Lydia ministered unto the Apostles*, that is saith he, *She spake the word unto them*: Another put on Sackcloth and carried Boughs of an *Asp* Tree in his hand, and being demanded the reason said; *The Lords Messengers were to come in Sackcloth and Asps*. I profess I have met with

with many of them who did not know the first Principles of Christianity, and yet these thought they needed no Teaching, but alas! they had need to be taught their own Ignorance first, and then no doubt they would perceive we were able to Teach them all things necessary to Salvation; and since we are ready and willing to do this, we may as justly require Maintenance from them, as the Physician his Fee from that distempred Patient who in his Feavorish frenzy declares he needs none of his Medicines, and not the sick Man, but the By-standers; (such as the King and his Judges) are fittest to end the controversy.

Page. 113. And whereas the Quakers wilfully neglect that instruction we are ready to give them, their cause is rightly paralleld by the Truant Boys in an endowed free School, which must not take off from the Masters Maintenance, nor doth *T. B.* answer this, by saying *this Maintenance of the Master is not from the Boys*; for I have proved before, the Ministers Maintenance is not from the People, it was allotted them by others, who were the right Owners of it, by God whose peculiar right the Tenth is, and by Kings and Princes and the Representatives of the whole Kingdom, whose the Land was at the time of the Endowment; and though the people pay it, yet tis not any part of their own Estate; tis a part which was never purchased, nor could it be let by the

owner of the Nine Parts, and therefore it is to be accounted a reserved Rent upon all Estates, as well as the 20<sup>l.</sup> out of the 200<sup>l.</sup> per An. settled on the Free-Schools, which 20<sup>l.</sup> the Tenant pays indeed, but not out of his own, and therefore if he should pretend he did not receive the Master, or had no Boys to be Taught, or having Boys they did not or would not come to School; this could not excuse the Tenant from paying the full 20<sup>l.</sup> per An. nor would the Master be unjust in receiving it fully and without abatement. But while he dislike my paralel, he hath made another; wherein he justly compares the Quakers to Boys, that find their Master incapable and teaching false Latin: fit Judges! yet ordinarily a School-boy is as fit to Judge his Master, and as likely to find his real incapacity, as the Quakers to judge of their Ministers: *T. E.* perhaps may be one of those School-Masters whom an ingenious School-Boy would detect, but tis rare that men of his proficiency dare venture to teach beyond the *Accidence*; and therefore the Law doth not provide for what happens so very seldom; But in other causes, the Souldior must have his pay, and they also must pay their proportion of it, who hold all War to be unlawful under the Gospel; and they who say they need none of the Souldiors defence, they will defend themselves. The Lawyer hath his Fee though he never plead, even when the Cause is ended by Arbitration, and the Clergy have a far better Title to their

their Dues than any of these, whose Title is meerly by humane Law or Voluntary contract. Besides if wilful neglect or not owning our Ministry would discharge Men, then to turn Papists, Atheists, or to spend the Sabbath day in Drinking would be as fair a way, to discharge Men of Tithes, as to turn Quaker; and so men would be hired to turn Sectaries, Debauchees, Papists, or Atheists with the abatement of Gods and the Priests Portion, and is this to be tolerated or endured in a settled Church? And why might not a Papist stop his Tithes upon these very pretences? yet they do very freely and fully pay them to us in obedience to the Laws of the Land, though they do not own our Ministry, nor at all partake of it.

**§. 4. PAg. 115.** The second Evasion that *T. E.* hath to avoyd the force of these Texts, is that Christ himself hath expressly set down what this Gospel Maintenance is, and he supposes it to be Meat and Drink: And because he could not answer my Arguments against this; he loudly exclaims against a pretended wrong done him, in my saying he affirmed, *That the same Authority had first established a Maintenance only in general, and then had particularly exprest what it should be:* charging me with putting in the words [only and particularly] whereas the whole stress of his Argument in his 284. 285. and 286. pages leans upon this supposition, that



Christ had established only a Maintenance in general, and it is Sense rather than Words I aim at; and yet his very words are *pag. 319.* *He that appointed a Maintenance in general, described also that Maintenance in particular:* So that I do not add the word [particular] but he is glad to deny his own words to palliate his balled cause, and since he confesses *pag. 116.* of this Book, that he did say, the Maintenance was expressly set down by Christ; is not that the same with particularly expressing it? for can any thing be expressly set down, and not be particularly expressed? Wherefore he only catcheth at any occasion to represent me like himself, and to hide his own inability to answer my proofs under these loud and unjust clamours. But to the Point, our Saviour sets down Meat and Drink as sufficient for them to expect from Men, while but yet in turning to the Faith; but *St. Paul* sets down as expressly, a part of all their goods to be given to Ministers by them who were professed Christians. And we must not say *St. Paul* contradicted his Masters order, but consider they spoke in different respects; Christ on a particular occasion as to the first preaching: And his Apostle laid down a perpetual rule for a settled Church; yea it is evident, the Apostles did not think Christs rule of Meat and Drink was perpetual or binding to them among professed Christians, because they did frequently take more as I proved *pag. 60.* from *Acts IV.* and *Chap. 5.* and from *1 Cor. XI. 9.* *Phil.*

Phil. IV. 18. Now it had been as great a transgression of Christs order for the Apostles to take more than Meat and Drink, as for Christians to give less, if that had been a standing rule; to add, being as great a fault as to diminish from Christs precepts: And though the Believers gave it freely, the Apostles ought not to have let them do it in their own wrong, and in affront to Christ, as if he had allotted too little; for it would have been Superstition at least. But indeed they knew it was Due, and therefore call it Wages, yea and say that carnal things are no great matter in comparison of Spirituals; so that they who give most (in St. Pauls opinion) do not give so much as the Ministers deserve, nor return so good as they receive. They thought therefore more than Meat and Drink Due, and though more was given freely and voluntarily, that doth not prove it was not Due, any more than our freely obeying God, proves that our Obedience is not Due to him. And a man not only may but ought to do his Duty freely and voluntarily; so that this exception signifies nothing: But since T.E. will expound Meat and Drink to signify *all the necessary conveniencies of Humane life*, thereby he grants that a Minister may *jure Divino*, claim all necessary conveniencies of humane Life; and since Tithes in most places will but barely afford them that, in those places (it seems) a Tenth part is due *jure Divino*; where no less part will afford a Minister a good Habitation furnished

nished with all necessary conveniencies, sufficient Food and Rayment for himself, his Wife and Family, to spare something for a provision for his Children after his decease (for I suppose *T. E.* dares not own himself so much a Papist as to deny the Clergy the liberty of Marriage); and thus he hath granted the Question as to the greatest part of the Livings of England: But it is very impertinent in him to restrain that Text (1. *Tim.* VI. 8. *Having Food and Rayment let us be therewith content*) to Ministers; for St. Paul is there speaking to all Christians, as St. *Chrysostom* notes saying, *Doth he say this to the Teacher*

(b) Πρὸς  
τὰς διδασ-  
κάλους, οἱ τι-  
μόντες, ὅ-  
σα μὲν, ἀλ-  
λὰ πρὸς  
πάντας  
ἀνθρώπους.  
*Chrysost.*  
Tom. 6. c.  
dit. *Savil.*  
p. 827.

only? no, in no wise, but to all Men. (b) So that this teaches the People to be content with necessities as well as the Priest, and because they will have Food and Rayment left, even when they have paid their Tithes, it is an Argument why they should not murmur to pay that proportion: Especially since, as my Friend well notes, this proportion was freely given to us by our Ancestors, freely set before us by voluntary Donation; as freely as ever meat or Drink or other rewards were set before the Apostles, and therefore we may take it by *T. E.*'s Rule though it were more than meat and drink, and as the Heirs of those who gave Houses and Lands: and other gifts to the Church (as we shall prove hereafter) could not reverse their Forefathers Acts; so the men of this Generation cannot revoke what was so freely given by those who had so full Right to give what part they pleased.

Ag. 122. We have now at length brought our Rover to the Question, viz. Whether Christ have Established Tithes for the maintenance of the Gospel Ministry in the New Testament? to prove which I argued; First, That he did establish them, in regard there is no Repeal of Tithes in all the New Testament: see my 61. and 62. pag. which I have made evident before, Chap. 11. s. 8. And that I may not, like the Quaker, tire my Reader with Repetition, I shall refer thither and content my self at present to shew that *Hebr. VII.* the only place he produces for a Repeal of Tithes, is a very good proof they are not repealed; to which purpose we will first consider that place: Where the Apostle writing to the converted *Hebrews*, (yet highly opinionated of their *Levitical Priesthood*) and having Digressed from Chap. V. 11. to Chap. VI. 20. returns to his purpose to shew, that there was another and better Priesthood now appointed by God to succeed *Aarons*, even the Priesthood of Christ which was after the order of *Melchisedec*; Ch. VI. 20. And the Apostles Argument is thus laid: He that is a Priest after the order of *Melchisedec* is a greater Priest, than those of *Aarons* order: But Christ is a Priest after the order of *Melchisedec*: Ergo. And first he proves the *Minor*; that Christ is of *Melchisedec's* order, in this seventh Chapter. First, from the argument between Christ and *Mel-*

*aght*

*chisedec*

*chisedec*; who was First, a King and a Priest, and his Priesthood is proved, First, from his Duty [blessing] the proper office of a Priest. Secondly, from his reward [receiving Tithes of all] the proper maintenance of a Priest. His being a King is proved from his Titles, King of Righteousness and King of Peace, ver. 1. 2. Thus Christ is like him in Offices and Titles. Secondly, like him in his Original, without Father and Mother. Thirdly, like him in duration, no Successor of his being recorded; and unlike the Levitical Priests in both respects, who were tyed to a certain Family and had Successors, ver. 3. Thus the *Minor* is proved, viz. That Christ is a Priest of *Melchisedec's* Order, as *David* also asserted Chap. V. 6. Secondly *St. Paul* proves the *Major*, viz. That Christ was of a better Order than *Aaron* or *Levi*; for if *Melchisedec* be greater than *Levi*, then a Priest after his Order is greater than *Levi*: now that *Melchisedec* was greater than *Levi*, *St. Paul* proves, First, from his Reward being greater, as to things and persons. First, as to things, he had Tithes also of Spoils, which *Levi* never Tithed, ver. 4. Secondly, as to persons *Levi* had Tithes only of the Jewish people, their Brethren according to the Law, ver. 5. But *Melchisedec* Tithed one whom the Scripture doth not mention to be of his Kindred, and of one greater than any that the Levitical Priesthood Tithed. Secondly, he proves *Melchisedec* greater from his Duty, viz. of Blessings, for he blessed one greater than *La-*



vi, and that proves him greater, ver. 6. 7. *Thirdly*, He proves him greater by the Duration of his Office and Reward, which is Tithes, they being under *Moss's* Polity payd to men that had a changeable Priesthood, but here to an immortal Priesthood, viz. To *Melchisedec*, whose death is not Recorded, and in him as a Type to Christ, of whom tis certain he liveth a Priest for ever, *Psal. CX. 4.* *Fourthly*, He proves him greater in that (as Christ took Tithes in *Melchisedec*, so) *Levi* himself by way of Homage and owning his Subjection, payd Tithes to *Melchisedec* in *Abraham*, Ergo, *Melchisedec's* is a greater Priesthood than *Aarons* or *Levi's*, which he proves. *Fifthly*, because that Priesthood was to succeed the Priesthood of *Levi*, for if *Levi's* Priesthood had been the greatest, best and most perfect, under which the Ceremonial Law was promulged, then that new Priest (spoken of by *David*,) would have been of that Order; or rather there had been no other sort of Priest predicted: but it was a sign of remission of Sins, and the perfection which follows on it, could not be had by that Law and that Priesthood, since there was not only another Priesthood spoken of, but of another Order, ver. 11. And indeed the Priesthood could not be thus changed to another Order without a change in the Ceremonial Law in that particular, viz. as it forbids all other to be Priests but those of the Tribe of *Levi*, ver. 12. But here is a Priest proved of another and better Order who is

of

of another Tribe, than that appointed by the Ceremonial Law, even of the Tribe of *Juda*, ver. 13. 14. And tis clear there was another Priest to arise of another Order, and made not according to the Legal fading Rites, but appointed to continue for ever, ver. 15. 16. *Ergo*, Christs Priesthood is better and greater than that of *Levi*; Now this being the plain sense of the Apostle, with what face can any man pretend this 12th. verse is a Repeal of Tithes? when if it be compared with the verse before, and the two verses after, it is a Repeal merely of that one Branch; of the Levitical Law, which confined the Priesthood to the Tribe of *Levi*, (although if it were a Repeal of all the Ceremonial Law, it would not concern Evangelical Tithes paid without any Ceremonies) yet this is all the Bottom *T. F.* hath to set his confidence upon; But indeed the whole discourse doth confirm Tithes as paid to Gospel Ministers, for Tithes are supposed by *St. Paul* to be inseperable from a Priesthood; so that it is sufficient in the Apostles Opinion to prove *Akchisodoc* a Priest, and used by him as a medium to make it out he was so, in that he received Tithes, ver. 2. and ver. 8. He uses this Phrase [receiving Tithes] for [being Priests], so that when his Sense is evidently, *Here men that Dye are Priests, but there he is a Priest &c.* He expresses it by, *here men that dye receive Tithes; but there he receives them, &c.* So that a Tithe-taker and a Priest are words of the same signification with *St. Paul*. A-  
gain

gain he makes a larger extent as to Tithing to prove a greater and better Priesthood, ver. 4. 5. 6. And he shews that an unchangeable Priesthood, such as that of *Melchisedec* ( serving to an unchangeable Law ) may receive Tithes, and supposes that Christ himself did in *Melchisedec* as his Type, Tithe *Levi*, and so evidenced the superiority of his Priesthood ver. 8. 9. 10. Besides when the Apostle had thus appropriated Tithes to *Melchisedec's* order, so as to prove his Priesthood and its superiority thereby; and then shewed that the Levitical Priesthood was now changed into that of *Melchisedec*, is it likely he would have declared Tithes Repealed which *Melchisedec's* Priesthood had as well as *Levi's*? Might not a Jew have replied, you prove and advance *Melchisedec's* Priesthood by Tithes, only to perswade us that Christ who is of that Order, hath a better Priesthood; but if you also tell us that Tithes are utterly Repealed, and none to be paid to his Priesthood, nor to those he Deputes; Then what is *Melchisedec's* Tithing to Christs Priesthood? or how is it the same Order if it have not the same Rights? And if we grant that *Melchisedec's* is better than *Levi's* in this respect, yet Christs is upon the same account apparently worse. Thus might a Jew have Argued unanswerably upon *T. E's* principle and supposal of Tithes being repealed. By all this we see the very force of the Apostles Argument lies in supposing Tithes are not repealed, but that they are proper to an unchangeable Priest-

Priesthood, yea that Christs Priesthood hath a Right to them, and so will prove due to us in his Right.

Page 125. His Repeal being thus clearly disproved, and shewed to be rather an establishment of Tithes as proper to an Evangelical Priesthood; I shall only make some brief reflections on his frivolous pretences in this Section, *First*, when I require an express revocation of Tithes by Name (which is but his own measure meted back in his 17. 57. and 143. pages) He knowing he had no such thing to produce, pretends I cannot find all the Mosaical Ceremonies repealed by Name; I reply, all Ceremonial things observed by the Patriarchs are repealed by Name, as Sacrifices; Circumcision, &c. and since Tithes are not so Repealed; tis an evidence they were not Ceremonial; and truly many of the Ceremonies purely Mosaical were so necessarily annexed to that Priesthood, and Temple, and Worship, that they are impracticable now, and need no express Repeal, there being no need nor occasion for them, nor any possibility of doing them. But as to Gods part, the Tenth of our Substance, this suited the first Priesthood, and suits that of the Gospel, is needed now, and practicable enough; nor had it any Relation to Christ to come, and so could not be imagined abrogated without an express Repeal. *Secondly*, T. E. again repeats his former injustice altering the Apostles Words, putting the  
Priest-

*Priesthood being ended* instead of *being changed*, see him, pag. 124. *Thirdly*, my Rule of *Expressa nocent, non expressa non nocent*, for all his endeavours to pervert it, confirms my assertion; for we have express practice before the Law, express claim first, and then an express command under the Law, and this hurts my Adversary; but we have no express Repeal under the Gospel, and so nothing to hurt me. But whereas *Fourthly*, He pretends that Christs intention for their continuance is not expressed in the New Testament; I answer, that there is enough said to warrant a conclusion; that he intended they should be continued, which he thought sufficient in his case, pag. 124. But withal we cannot find an express Text in the New Testament, for every thing Commanded in the Old which Christ intended should be continued, as appears in the Case of the Sabbath, the parallel to Tithes; for the Law of Nature requires some part of our time to be given to God, (as well as some part of our Estate): the Moral Positive Law fixed the Number and Proportion to be a seventh part, the Ceremonial Law superinduced many Ceremonies to this, but those Christ repealed, only the Proportion he left upon its old firm Principles, and made no New Law about it; yet the Church always believed Christ intended the seventh part of our Time should stand as Dedicate to Almighty God, and so it doth now, and that *Jure Divino*; in the opinion of many of our English Divines, and the



the same may be alledged for Tithes, for which I come now to produce the Evidences out of the New Testament, which shew that it is Christs Will they should be the Maintenance of his Gospel Ministry.

s.6. **P** Ag. 127. Having thus proved Tithes were not repealed, it follows they stand upon their first Foundation still, and are now due *Jure Divino*, which Term (because it is Ambiguous, and *T. E.* takes occasion thereupon to Cavil,) I will here explain: *Jus Divinum* therefore, is taken in a twofold Sense: primarily and strictly it denotes a thing appointed by a positive precept of God; and in this Sense, setting aside the Articles of the Creed and the Duties of the Moral Law; there be few things (saith a Learned Bishop) that can be said to be of Divine Positive Right under the New Testament. (c) But (saith he) there is a secondary and more extended signification of that Term, of frequent use among Divines, wherein those things which are not expressly and in words commanded in Scripture; yet having their Warrant from the institution of God; or from the example of Christ and his Apostles, and by the agreeing Judgment of the Church, have been thought fit to be continued. These things are in a larger Sense said to be *Jure Divino*, and of this sort is reckoned Episcopacy, the observation of the Lords Day, &c. and of this sort I always asserted Tithes: So another of

(c) Bishop  
Sanderson  
his Episco-  
pacy not  
prejudicial  
Sect. 2. S. 3.

of that Venerable Order saith, *Right or Due* is taken in a twofold Sense, either as to a particular precept, explicitly exacting a Tenth in Terms, as in the Levitical Law; or as to a general Ordinance including, implying and referring to a Tenth. And in this (d) second Sense I did before, and do now take *Jus* (d) Bishop Gauden Divinum, in this controversy, not for a positive Law expressly naming Tithes in the New Testament, (which I freely granted was not there to be found *in Terminis*;) but for a sufficient indication of Gods Will to have that Tenth part continued for the Maintenance of his Gospel Ministry; and though there is no express precept, yet as *T. E.* makes no scruple to say Christ hath repealed Tithes, because he fancys *there is enough said in the New Testament, to warrant a conclusion that Tithes are to be repealed though the word be not mentioned:* So I may more justly say Christ hath instituted Tithes, since I can prove *there is enough said in the New Testament to warrant a conclusion, that Tithes are to be continued:* And if I make it plain, that it is Christs Will, that Tithes shall remain for the part by which his Ministers are to be maintained; his Will declared is Law enough to oblige his devout Servants; and a firm consequence rationally drawn from good Premisses, is a sufficient Rule for our obedience; especially as to the proportion, (the only thing in Question between us) when the Maintenance it self is granted established by Divine Authority. Now the positive Laws

(d) Bishop Gauden Ministers Maintenance pag. 13.

## The Right of Tithes

for Maintenance do fairly intimate that Tithes were by Christ intended to be the proportion, as I shall make good, by necessary consequence from those Laws; and then I have proved the *Jus Divinum* as fully as I desire or need to do. My lesser promises *T. E.* lightly passes over; yet even those put together will weigh with impartial Judges. i. our Saviours declaring that the *Pharisees* ought to pay Tithes; which as they are a wise and just proportion of Maintenance, are an Act of Righteousness, and since his Disciples Righteousness ought to exceed that of the *Pharisees*; this in *Origen's* Opinion, ( and in the Opinion of many other Ancients ) it concludes, that Christ requireth no less than a Tenth of his Disciples for the Maintenance of his Ministers. *Mat.* xxiii. 23. compar'd with *Chap.* v. 20. Secondly, that *Double Honour* which *St. Paul* saith a Gospel-Minister is worthy of *i. Tim.* v. 17. is certainly ment of Maintenance; Honour being the Scripture phrase for these Gifts given to Superiors, in token of the Reverence and Duty we ow to them; *Mat.* xv. 5. 6. *Rev.* xxi. 16. *Acts* xxviii. 10. and if we consider that the *Double Honour* was the Elder Brothers Portion, ever since the Elder Brothers were Priests, and enjoyed not only their own shares of the Inheritance; but Tithes also out of the shares of the rest, by vertue of the Priesthood annex't to *Primogeniture* (e): we may well suppose the *Double Honour* to have been Tithes, and that *St. Paul* thought, as the *Presbyters* succeeded the Elder

(e) See  
Selden Hist.  
of Tithes  
Chap. i. p.  
5. and Re-  
view p. 451  
452.

Elder Brothers in the Office; so they should in the Reward too, and means they are worthy of Tithes. Thirdly, and since God never imposes a Duty upon any sort of Men, but he Qualifies them to discharge it; we cannot think He intended the Clergy a Less proportion than Tenths, because he enjoins them to be given to Hospitality, 1. Tim. iii. 2. for which neither a small nor Arbitrary proportion will suffice. Fourthly, and St. Paul making Tithes so essential to a Priesthood, yea to a Priesthood not Ceremonial; but to that Order of which Christ was, and his Grounding his very Argument upon this supposition, that Christs Priesthood received Tithes of *Aarons* Priesthood, and by that was proved greater; all this (especially being there is no express repeal of Tithes) will convince unprejudiced Men, that Christ would have the proportion to stand.

Pag. 128. But we have two plainer proofs of this; the First, that place, 1 Cor. ix. 13. 14. *Do ye not know that they which Minister about Holy things, [i. e. the Levites] Live of the things of the Temple, [i. e. Tithes] and they which wait at the Altar, [i. e. the Priests] are partakers with the Altar [i. e. in Oblations and Sacrifices] ver. 14. Even so hath the Lord Ordained that they which Preach the Gospel [i. e. the Christian Priests] should live of the Gospel [i. e. of what is due and Dedicated to God in acknowledgment for the Gospel.]* From whence I observed, First,

that the Maintenance of Gospel-Ministers, was to be like to that of the Jewish-Priests and Levites. 2. That Christ had made a special Ordinance it should be so. 3. That *living of the Gospel*, did signify, living of the things due and dedicated under the Gospel (*which Mr. Mead learnedly proves, Tom. 1. pag. 226. &c.*) 4. That Christ who here assigned the things of the Gospel to his Ministers by his word, did by his Providence incline the hearts of Christians to Dedicate a like Maintenance, as to the proportion, *viz.* Tithes; which proportion being Originally due to God, and Ordained for, as well as assigned to the Ministers of the Gospel by Christ, yea and Dedicated also by faithful Christians moved by his Grace and Providence; I conclude they enjoy them now *Jure Divino*. This *T. E.* lightly passes over, and slightly calls it piecing up something that might look like a proof; when tis evident he is hard put to it, to patch up somewhat that might look like an Answer among his judicious Quakers. For, *First*, He attempts to strain the Word [*Even So*] to signify exactly after the same manner: Whereas it only notes Similitude, but not Identity; Agreement in Substance and in the main Circumstances, not in all the lesser punctilio's. *As* their Maintenance was Ordained by God the Father, *even so* ours by God the Son; *as* theirs fixed in proportion, *even so* is ours; *as* theirs was a Tenth part certain besides other Oblations, *even so* is ours; *as* theirs were



were the things of the Temple and Altar, *even so* is ours, &c. But theirs had many superadded Ceremonies peculiarly suited to the Levitical Dispensation, which ours hath not; and so tis not the same in all points, but alike in the main: In the Authority ~~ordain-~~ing, in the Office Receiving, in the Persons who were to pay it, in the Proportion, the certainty, and the end why it was Ordained: not in all the minuter Circumstances. But according to *T. E.* the Evangelical Maintenance is wholly unlike that under the Law, which false supposition destroys the Apostles Arguing: For why should he bring in the Right of the Levitical Priesthood to Tithes, to prove his own Right, if his Right and theirs were not alike? Or what Consequence would there be in saying, as they live of a Maintenance due by a Law; so we must live of one precarious and Arbitrary: as they upon a certain part, so we upon an uncertain, as they of a Tenth part, so we of a Fifteenth, a Twentieth, or whatsoever the People please? Doth this prove our Maintenance or our Right to it to be [ *not* ] even such as theirs. Doth this declare Christs care to be as great as God the Father's was? Yet this is the Quakers way of making the Apostles Discourse like himself, (weakly and incoherently) meerly to serve his false Positions. *Secondly*, He gathers from my Words, that the Maintenance was to be what Believers were willing to give freely, and supposes that it was in the Donors

choice what part to give. But this is a manifest abuse of the word [*Freely*], which he interprets as if it meant *Arbitrarily*, whereas it signifies no more than *Willingly*; and in that sense a man may pay a certain Due freely. Thus *David* freely Consecrated that which was Gods own, 1 *Chron.* xxix. 14. and though Alms be a due, *Pro.* iii. 27. yet God loves it should be given freely. 2 *Cor.* ix. 7. and under *Moses* his Polity men were commanded to dedicate their Tithes with Gladness. *Eccl.* xxxv. 9. So in the present case, the Testimonies of the primitive Fathers shew, that Christians then did believe the Tenth was due to God for his Ministers; and the Church Histories declare they gave it freely: They were convinced by the Patriarchs practice, and Gods approbation, that the Tenth was Sacred, they found no repeal of that part; they observed how Christ had Ordained a like Maintenance for his Ministers, as God had for the Levitical Priesthood, and this convinced them, the Tenth was still due; and considering it was now to be the Maintenance of a better Priesthood, and a grateful acknowledgment of better Rules and promises, they gave this proportion freely and chearfully, willingly and gladly; yea (I may affirm) wherever the proportion is exprest, it is always a Tenth and no other; therefore that was not Arbitrary, for if it had (been so esteemed in those Days,) some would have fixed upon some other proportion. But since wherever there is

is mention of a fixed part it is always a Tenth, doubtless they understood the *Eusebian* (the reward for the Gospel Message) was to be this, and by their Dedication they made it so; and since Jesus guided their hearts in that Act, we may infer it was agreeable to his Will, and the fulfilling of this Ordinance of his. To this *T. E.* Answers barely, [*I deny it*] as if his bold denial must be as cogent with me as his false affirmings are with his credulous Quakers: *St. Augustine's ipse dixit* will not pass with him. *page 437.* and yet he fancies his own *ipse nego* will pass with me at every turn, and therefore he repeats it often *I deny that* (saith he) *page 496.* and elsewhere: But having found him confident enough to affirm the greatest untruths, and deny the plainest truths, I shall not much regard his affirming or denying. As to the matter in Question between him and me; tis plain enough the Primitive Donors of Tithes were moved by Jesus; since it appears they did believe them to be due by Gods Law, and as well just and equal in themselves, as pious and Religious in their end; since they gave them by Gods direction to his Servants, and for his Honour; surely such motions can come from no other than God. And unless *T. E.* hath any late Revelation of the Original and moving cause; common Equity, and these reasons oblige him to believe that Christ moved their hearts to give Tenths; especially since this proportion complied so well with his Ordaining, that Gospel Mini-

sters should be maintained even so as those under the Law were. Having therefore removed his Cavils, we will collect the Sense of this Text into a Syllogism thus.

That which is due to Gospel Ministers by Christs Ordinance, is due to them *Jure Divino*.

But Tithes are due to Gospel-Ministers by Christs Ordinance:

*Ergo*, Tithes are due to them *Jure Divino*.

The *Major* is undeniable.

The *Minor* is thus proved,

If Christ hath Ordained that Gospel-Ministers shall have a Maintenance like unto the Maintenance of those that Ministred under the Law; then he hath Ordained they shall have Tithes.

But Christ hath Ordained that Gospel Ministers shall have a Maintenance like unto the Maintenance of those that Ministred under the Law.

*Ergo*, He hath Ordained they shall have Tithes.

The consequence of the *Major* is proved, because Tithes agree in the proportion, certainly, and all circumstances (not peculiarly relating to the Levitical Worship,) unto the Maintenance under the Law:

The *Minor* is proved by 1 Cor. ix. 13, 14.

Pag. 130. My next plain proof is out of Galat. vi. 6. which he runs hastily over, *tantumquam Canis ad Nilum*; and though he can spare two pages together to rail upon one Word

Word, he can but afford one single page to answer two whole pages of mine; yea he spends more Paper in bragging he hath confuted me, than in the confutation it self; page 144. 145. 146. like a Dunghill Cock, that loves not fighting when the Adversary is near, yet Crows briskly enough at a distance. But to leave his disingenuity, so visible in every part of his Book, my Argument was, that he tApostle here enjoyns Christians to communicate some part of all their Temporal Goods to the Ministers of the Gospel, and to make them sharers and partakers with them therein. And therefore if Christians have Corn, Hay, Wool, and increase of Flocks, and Herds, &c. by the Letter of this Law they are forbidden to enjoy them alone; and commanded to distribute part of all these to Gods Ministers, and that so, that he be not troubled to require it, for it is to be set out for him, and communicated to him. T. E. hath no Objection against this, but only that which I confessed and think to be no objection, viz. *That the Tenth part is not named.* But I had sufficiently proved in my 66 page, that it could not be understood of any other than the Tenth part; which proofs our Adversary dismisses with saying, *they are overworn stories of Antiquity*; but they stand still unanswered to condemn his Quaking Novelties; and he that impartially reads them, will find there is enough said in *Galar. vi. 6.* to warrant a conclusion that the Tenth is the part, though  
it



it be not expressly mentioned. We Priests who receive Tithes did not fix this part first, but *Abraham* and *Jacob* by Gods direction, and so it stood by his express approbation in the time of the Law; Jews and Gentiles agreeing that the Tenth was sacred to God, even to that time when the Gospel was preached. And Jesus did no where repeal that part, nor did any man then doubt of the Tenth being Gods Part: So that this proportion being so early fixed, so long used, and so generally known and agreed to; to bid the Christians give part of all their goods to Gods Ministers, was enough to make them know they must give the tenth part for since there is one part of all our Goods assigned to Gods Ministers, and a Tenth part hath been long approved for that part by God, and never disapproved; this indefinite command supposes and refers to the part already determined; it intends, implies and establisheth that part; and so this Text establisheth Tithes. The Apostle supposes the part to be well known and generally agreed to; and the Christians of Old did understand the Tenth was the part intended, and so actually consecrated that part to God and his Ministers; and thereby have interpreted this indefinite command to be meant of Tithes: And yet if they had not don so, before a Christian can obey this precept now, before he can give part of all his Goods; the Quantity must be fixed. I ask therefore who shall fix it? not the receiver sure, for he may require too much;  
nor

nor yet the giver who may allot too little: tis  
best then for God to determine it. Now if  
a man enquire, what part will best please  
God? Surely that part which he directed, ap-  
proved and never repealed, and that part  
which Jews, Gentiles and Primitive Christi-  
ans all agreed in. Is there so great assu-  
rance of Gods liking any other proportion?  
or so good Presidents in any other part we  
can fix upon? if not, then Christs general  
precept is to be obeyed in giving this part,  
especially since he told us before, 1 Cor. ix.  
14. That as the Priests of the old Law were  
maintained; *Even so* should those of the  
Gospel be. Their chief Maintenance was a  
certain fixed Tenth part of all, and Ours  
(saith this Text) must be a part of all: what  
part therefore can be understood to be meant  
by Christ but the Tenth part? which there-  
fore is now due *Jure Divino*. And the Argu-  
ment may be stated thus.

If that part of all our Goods which the  
Apostle Commands us to give Gods Mini-  
sters, be necessarily understood of a Tenth  
part; then a Tenth part is due to them *Ju-  
re Divino*.

But that part of all our Goods which the  
Apostle commands us to give Gods Ministers,  
is necessarily to be understood of a tenth part.

*Ergo*, a Tenth part is due to Gods Mini-  
sters *Jure Divino*.

The consequence of the *Major* is undeniable.

The *Minor* is proved, by this; that at  
that time when this precept Galat. vi. 6. was  
written

written; the Tenth part was well known and agreed to by all, to be the part; it was fixed and approved by God, and never disliked, nor any other approved by God or chosen by Good men. So that the proportion as God had fixed it, was then Obligatory, and the indefinite precept must be determined by it, so that when we come to fix the part, it ought to be no other than a Tenth.

*Pag. 131.* But *T. E.* thinks he hath me at a great advantage, when upon my concession, that Tithes are not named in the New Testament for the Gospel-Maintenance, he asks insultingly, *will he undertake to prove that out of the New Testament, which he confesses is not mentioned in the New Testament?* I answer, the Quaker himself did undertake as much about the repeal, *pag. 124.* and had his consequences been fair and good, the thing is allowable enough, and tis only his Ignorance makes him to ask this weak Question. Did not the Holy *Nine* Fathers undertake to prove out of the Scriptures, that our Saviour was of the same substance with the Father; and yet confess that the word [*sub-*  
*stans*] was not in Scripture? And doth not the Sixth Article of the Church of *England*, allow that which may be proved by Scripture as well as that which is read in it, to be received as an Article of Faith, and so do all but our bold Questionist; who tells us he hath other Objections besides this, of which he produces some. *First, Tithes are Ceremonial*, which I have so fully disproved before

before, that we may now justly suppose them not to be Ceremonial; and may infer from thence they are proper for Christians. *Secondly*, he saith Maintenance by Tithes or any other fixed and determinate Quantity is not agreeable to the Nature of the Gospel, which is free, and a state of Liberty. This condemns not only *Selden* and *Willer*, but his very *Bohemian* Stipends; and is a pure Quaker-like Objection, against all Protestant Churches in the World, as well as the Church of *England*: Nay this Objection may be made against all the Laws that either God or man have fixed under the Gospel, being the quintessence of Antinomian Libertinism. At this rate we must have no fixed time for publick Worship; no fixed place nor persons to perform it, no fixed measures for Order and decency in it, no fixed Rules for Faith or Manners, no Sabbath, no Churches, no Priests, no Ceremonies; no Creeds nor Ten Commandments; away with these and Tithes all at once, these are all Legal; and *T. E's*. Believers Priviledge is to be Free, they are Sons and claim the Liberty to be Lawless; this indeed is to use Gospel Liberty for a Cloak or Cover to Wickedness *ἐκάλυμμα τῆς κακίας*, 1 *Per.* ii. 16. And if the Gospel did really allow any persons such liberty, it would soon destroy Religion and Government too, and bring in all confusion. *St. Augustine* taxes *Zeno* for defining Liberty to be *ἐξουσίαν αὐτοπραγίας* and *Cicero* for saying, *it is a power to live as we will*:

will: God forbid (saith the Holy Father,) for what if a Man Will to live wickedly; ad Prob. Ep. 121. Doubtless we are no less Free when our will is directed to choose what it ought by a wise and good Law; for as *Aristotle* observes, it is no Abridgment of our Liberty to live according to the Law, *lib. 1 Polit. cap. 9.* And *Cicero* upon better consideration saith, Therefore we are all Servants of the Law, that we may be free; *Orat. pro Quinct.* And of all other Laws, can we think the Holy and wise Laws of God and Jesus Christ abridge our Liberty? Whatever is fixed by Divine Authority is fixed so, as he that were free ought to chose if it had not been fixed; and the fixing the Tenth part seems just and equal to all but those who look with Covetous and Factionous Eyes. And for the Quakers, 'tis evident they would have the Freedom of wild Beasts, they would be quit of Laws and Magistrates, as well as Tithes; and run loose in a wild Wilderness, under no restraint from God or man, but that of their own roving fancy, falsely called, *The Light within.* Thirdly, He saith, under the Gospel, Tithes are not an equal way of Maintenance, neither in respect of the Giver, the Receiver, or the Service. I ask whether they were equal under the Law? if not, God was the Author of injustice; if they were, let him tell us, doth the Giver receive less, or the Receiver do less? or is the Service less worth now than under the Law? if not, then all he can pretend is, that



a Tenth is too little: but since the Receiver thinks that enough; *Potenti non fit injuria*, any man may (as St Paul did) recede from his strict dues; and if any of the Laity be not satisfied the Tenth is enough, 'tis Lawfull still to mak voluntary Oblations besides; and this may suffice for his own weak and trifling Objections.

Page. 133. There remains therefore only One Objection of my own raising, viz. The not naming Tithes as the very Maintenance in the New Testament; but I answered this also before, by giving Four Reasons of that silence, to which we will hear what he can reply. My *First* Reason is, that it was to avoid giving Offence to the Jews, whose Priests were then in possession of them. And no man can doubt but that the Apostles were very tender of offending the Jews; nor is it likely they would claim a Maintenance which they were in no capacity to receive, and which yet was in other hands, and which would have opened the mouths of the Priests against them; as being moved by worldly interest, not Zeal. But T. E. replies, *The Apostle in the Epistle to the Hebrews tells them without fear of Scandal, that the Priesthood and the Law by which they took Tithes were abrogated and ended (he should say, changed) by Christ.* And yet for this Reason, that Apostle durst not put his Name to it, least he should offend the Jews; and though the Apostle did modestly sometimes argue this in point of Opinion, yet in

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practice they did comply and forbear to a great degree. *T. E.* perhaps will say *St. Paul* denyed *Christ* was come in the *Flesh*, when he circumcised *Timothy*, *Acts*. xvi. 3. and when he purified himself and offered legal Oblations according to the Vow of *Nazarites*, as the Ceremonial Law required; *Acts* xxi. 24. compared with *Numbers* vi. 18. This he did meerly that he might not offend the Jews; and therefore much more might he forbear to claim Tithes, (which *T. E.* weakly supposes to be meerly Ceremonial) when as he could <sup>not</sup> conveniently have received them. Again *T. E.* grossly mistakes to think converted Believers were quite taken off from the Jewish Priesthood; for the Jewish Converts long favoured their Old Priesthood: And the first fifteen Bishops of *Jerusalem* were all Circumcised; and many of the Believers there at last would not part with their Old Ceremonies, which occasioned the Sect of the *Ebionites*; who rejected all *St. Pauls* Epistles for his disputes against the Ceremonial Law; and we may perceive how *St. Peter* and *St. Barnabas* were both glad to comply with the Believers of the Circumcision in point of Ceremonies, *2. Gal.* 11. 12. 13. And nothing can be more absurd than *T. E's* fancy; that the Apostle might write about Tithes to the *Gentiles*, without offending the Jews, for he forgets that the Jews lived in all Countries among the *Gentiles*, *Acts* xi. 5. 9. 10. 11. *1 Pet.* i. i. and could any thing have been written,  
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or don so publickly as the paying of Tithes, which would not have been known to believing and unbelieving Jews both? Sure he dreams of whole Nations of Converted Gentiles among whom were no Jews at all; which shews how little he understood the state of the World then. As appears also from his next assertion, that some of the Apostles lived to see the Jewish Priesthood wholly dispossessed of Tithes, and the whole Jewish Polity destroyed: Reckoning I suppose from the destruction of *Jerusalem*; which was in the fourth year of *Vespasian*: but *St. Paul* the great writer of Epistles and the only Author treating about Gospel Maintenance, dyed under *Nero*; long before this; and 'tis generally believed none of the writers of the New Testament, survived the destruction of *Jerusalem* but *St. John*; who hath no occasion to maintain Tithes in his Revelations which were writ after the destruction; only he prophecies of the Liberal Donations afterward made to the Christian Church, *Rev. XXI. 24*. Besides *T. Earn* mistakes to think the Jewish Polity was wholly destroyed, or Tithes ceased to be paid at the destruction of *Jerusalem*; as I can prove if there be occasion. But this is certain, that the Christians of that Age did all they could to win the Jews; and 'tis likely by direction from the Apostles observed the Feast of *Easter*; and kept the Saturday Sabbath; and forbore a while to claim or give Tithes to the Evangelical Priesthood.

Pag. 135. My Second Reason why Tithes are not enjoined by name, was because it was needless, since they were sufficiently known to be due to God *before* the Gospel began to be preached; as well in the time of the *Patriarchs* as under *Moses* Law: Which *T. E.* knows to be my meaning, only wanting an Answer he cavils at the word [*before*] and pretending (as his custom is) to have already refuted this Assertion, he dismisses it. But since I have proved, as well before as after the Law, that Tithes were sufficiently declared to be Gods due, and shewed that the ground on which they were given, was to acknowledg God the giver of all; and the end for which they were employed, was to maintain the Service of God, which grounds and end remain in force still: I suppose the Impartial Reader will conclude that there was no need to determine the proportion anew; but leaving that upon its first foundation, our Saviour needed only to declare he would have Maintenance continued, and paid out of all our Goods, to his Gospel-Ministers; and the proportion being well settled before and never repealed, is sufficiently established by these Laws of his: Even as (I shewed at large) he did in the Case of the Seventh part of our time, the exact parallel to the Tenth part of our Estate; and to this the Quaker makes no reply, and therefore it stands and remains a good Reason still, and as yet unanswered.

Pag. 136, 137. My Third Reason why a Tenth was not enjoined by Name was, because the Christians in those Daies gave more than a Tenth freely, selling all and giving it to the Apostles: But T. E. saith this is more than I can prove: very strange! I proved they gave all, and yet he saith I cannot prove they gave more than a Tenth; is not All more than a Tenth part? Who hath abandoned all Reason and Modesty now? He grants, they laid the price at the Apostles feet, and yet saith, this was not given to the Apostles for their proper use: being ignorant of the meaning of this phrase [*laying or putting at, or under the feet*] which (as *Grotius* notes) signifies that they put it wholly into the Apostles power, as when David saith, *He hath put all things under mans feet*, Psal. viii. 6. he means, *God gave us Power and Dominion over all Creatures.* And though in their circumstances they needed it not at all themselves, and so their Charity enclined them to Communicate to all that had need; this no way proves it was not given to them, and put into their power, for though God likewise freely give us all, yet he expects we should give part of it back to his Ministers and the Poor, and because we do thus in a pious obedience to God's Law; will any man argue, we are not Masters of our own Estates? Do not I shew my right to a thing as well by giving it to another, as by spending it on my self? Again how strangely the



## The Right of Tithes

Quaker mistakes in saying, *It is enough for his purpose that it was a Free Gift*: For since they gave all, and gave it freely, doth not that prove my present reason, *viz.* That the Devotion of that Age was great, and needed not a new determination of the Tenth part, which is the lowest measure? In stead of answering which Reason, he racks my words and jumbles them together, hoping to escape from the Argument by charging me with his ordinary fault, *Self-contradiction*, but let any man read those Pages in my first Book cited by the Quaker, and he will see how vainly he tugs at that Oar: and I shall only reply to this weak attempt of his, That he begs and supposes, that nothing can be established unless it be named; forgetting his pretended repeal hath neither the name of Tithes, nor yet of a repeal in it, and not considering that sober and judicious Protestants generally hold the Christian Sabbath established in the New Testament, though no Precept mention it by name. If our Lord could not create a Right to Tithes without express naming them, yet he might establish them, as he did many other things by general Rules: and the fervent Devotion, and vast liberality of that, and some following Ages, made it needless to name that measure which they alwaies exceeded; the Tenth was a Bound below which none might go in the worst times, and to have named that positively, had been to curb the Devotion of the best Ages, when the general poverty

verty of the Church made it highly necessary for those few that were able, to give above the proportion suted to settled times. My Reason being thus made good, I shall only observe his ridiculous Etymology of [*Decima à Decimo*] wherein this shame of Pedagogues, derives the Nominative Case Plural from the Ablative Case Singular, or else from a Verb that is a Derivative as well as [*Decima*] for both of them [*Decima & Decimo*] are derived from [*Decem*] which if T.E. knows not, he never was fit to teach Grammer, and this foolish Etymology of his, is no better than to derive one Brother from another, when both are derived from one common Parent: but 'tis below me to lash such folly.

Pag. 138, 139. I had Argued that our Lord fore-saw the great effects his Gospel and his Grace were like to have upon the hearts of those Ages, and knowing they would give more than a Tenth, he might justly forbear to determine the proportion too expressly; to this we have nothing but poor evasions, *vez.* That because Christ left the gratifying his Ministers to the voluntary Devotion of those times which he knew would give more than a Tenth, therefore it should be left so still, as if there were the same reason for that Age and this, for those those that were ready to sell all, as many (yet upon record) did, and for those who through Quakerism or Covetousness, or both, will

part with nothing ; which is, as if *T. E.* should argue, there need no Spurs to a dull Horse, because a free Horse will go without. And besides, he mistakes to think Christ left it wholly arbitrary, for he Ordained that Gospel Ministers should be maintained [*even so*] as the Jewish Priests were for the main ; he ordained they should have part of all their goods. The Tenth part was then the known proportion, below which the Patriarchs, nor the Jews, no, nor yet the Gentiles, did not go ; and though Christ left them at Liberty to give more than that, yet not at that Quaker-like licentious Liberty to give nothing, or to give less, when and what they please ; so a great Father of the next Age ( to whose words I allude in my 71 Page ) understood that freedom of Sons under the Gospel, *They truly* ( that is the Jews ) *had the Tenth of their Possessions consecrated : But they who have received Liberty, do set apart all they have to the Lord's Service, cheerfully and freely giving not that which is less, because they have a greater* *Rep.*  
*Iren. adv. heres. l. 4. c. 34.* There was enough said to move some Ages to give more, enough to perswade others that it was Christ's Will they should not give less, and when men grew remiss, then ( and not before ) it was necessary to draw the fair Inferences of these Texts into express Laws, and by those Laws to declare that Christ had sufficiently intimated his Will to be that a Tenth part at least should be given to his Ministers,  
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and accordingly the Canons and, Laws made for paying Tithes in after Ages, do all suppose them due by God's Law before.

Pag. 140, 141. My Fourth Reason for the not requiring Tithes by Name then, was taken from the unsettled state of the Church which permitted not Believers to pay them regularly though they were willing: This T. E. saies should have been assigned for a reason why Tithes should not have been paid at all under the Gospel: Why so? doth the Quaker think the Church was alwaies to be unsettled? Because their unstable Sect neither is nor ever can be settled, but must alwaies hover in uncertainties, and change as the Wind turns; doth it follow, the Church was never to be settled? As soon as King's and Princes became Converts, the Church was fixed, and Maintenance fixed also agreeable thereunto; but in the mean time things were done as well as they could in that State; But he asks how I know Believers were willing to have paid Tithes, and Ministers to receive them there, had opportunity served? I answer, because they often gave more, in Money and in such things as Ministers could receive: Mr. Selden will tell him, that even in *Ammianus Marcellinus* his time [ *An. 370.* ] *The Clergy were so enrich'd that their wealthy happiness thence was much wondered at, and not a little from thence envied.* Hist. Tithes, p. 40. And can we doubt whether these men were willing to pay Tithes? See also *Selden's Review*, p. 462. And since the Church could

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not regularly receive them then; Since that most bountiful Devotion of good Christians continued, and enough was said to shew it was God's Will the old proportion should stand, as soon as it could be paid with convenience; what need was there to name that proportion then? Though many things be named in the New Testament that have relation to future times, yet many that were well known and well settled before, are not named in any new Precepts, but left under General Commands, and yet do certainly oblige us. I grant that in the times of Persecution, they were not regularly paid, no more than they were to the *Levites* in the Wilderness, and yet as that was no prejudice to their Right, so neither was this to ours, and if their Right was settled by an express Law, ours was Ordained with an [ *Even so.* ] The proportion was first fixed by Direction from God, and many evidences given of his approbation, and not one of his dislike of it, and therefore as to the proportion our Right was as well settled as the *Levites*, and can be as little prejudiced by a non-payment occasioned by necessity: I am sure the Tenth part was so settled under the Gospel, that the *Primitive Christians* did know that was the part intended by Christ and his Apostles. Here *T. E.* wisely asks, *How I know this, seeing the Scripture is silent of it?* Excellently urged! But is this knowing man so ignorant to think we can know nothing of the *Primitive Christians*, but what we know  
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by Scripture? He pretends to learn something of them from *Mr. Selden*, and something from *Perkins* his *Problema*, at second hand: and cannot I know their sense from their own Genuine writings? I doubt not in the next Chapter to shew I did well know their mind, and that they did believe them due *Jure Divino*, and yet since they were hindered by unavoidable necessity, they were excused from doing even what they knew to be their Masters will, even as a Prisoner is from frequenting the Publick Worship, and if *T. E.* argues right. (when he falsely supposing their non-payment, inferrs them not appointed by Christ) then when I shall prove their payment, it will follow they were appointed by Christ, and so due *Jure Divino*. And [This] that is, *These Texts, and all these Reasons considered together*; are sufficient to establish this Right of Tithes under the Gospel, without an exprefs renewed Precept for that proportion by name.

*Pag. 142, 143.* Being now come to my Conclusion, which I draw from Premisses fairly and fully proved before, *T. E.* after his wonted manner singles out that, and supposing I have proved nothing, impudently brags I beg the Question, and cants upon the naked Conclusion for two or three Pages together, calling a fresh for my Texts (which he hastily skipped over when I produced them) as if he had never heard of them; What baser equivocation can Jesuits use?

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or who would engage with so disingenuous an Adversary? But the discerning Reader may easily perceive these are — *ad populum phalaras*, Sallets fit for Quakers Lips, and as he saith himself, *Fair words to please Fools*: 'Tis the way of their own Speakers falsely to suppose themselves Saints, Children of God, Spiritual men, and men in the Light; and all others, Reprobates, Enemies to God, Carnal men, and such as sit in Darknes, without the least proof, and yet upon these suppositions they rail at all others, and damn them with as much confidence, as they cry up their own Party, and appropriate Salvation to themselves; and *T. E.* thinks wickedly, I am such a one as himself, but I appeal to the impartial Reader, whether I have not sufficiently proved my premises, and whether it be not absurd and dishonest both for him to over-look all that, and deny my Conclusion upon the false supposition that I precariously assert it.

§. 7. **P** Ag. 145, &c. We must now give our Triumphant Quaker leave to stand still and stroke himself a little for his brave exploits, and to give the better colour to his feigned Trophies, he picks up some little odd Sentences here and there out of my Book, and when he hath shuffled them so together as to make them look ridiculously, he entertains himself with laughing at his own knavery, which is the business of these two Pages,

Pages, as I noted in the Preface: leaving him therefore to glory in his shame, I shall only make some Observations on his two closing Authors *Fulk* and *Willet*. First, For Dr. *Fulk* I have shewed he can be no Witness for *T. E.* in regard he holds Tithes may be established under the Gospel, which if they were Ceremonial, could not be; and in the most of this Period now cited against me, the Doctor and I agree, viz. *That as it was a Ceremonial Duty, it is Abrogated. That there is now no Sacrificing Priesthood to whom Tithes are due, and though there be a Priesthood now maintained by Tithes, yet the old payment of Tithes doth not prove there is any such Priesthood as there was then* (For the Doctor supposes as I do, that different Priesthoods may have the same maintenance) *That Christ and his Apostles did not claim them for their own Maintenance.* I have confessed and shewed why they did not. All that we differ in is, that in his heat against the pretended sacrificing Priesthood of *Rome*, which the *Rhemists* would justify from one of *T. E.*'s principles (viz. That the same Maintenance proves the same Priesthood) the Doctor unwarily asserts that Tithes may be turned into a Stipend sufficient, or may stand as the Magistrate pleases: but since the Magistrate hath ordered these to stand, the Doctor allows not covetous private men to detain them, and if in dispute he do deny that *Jus Divinum* which I assert, yet I have so many more and greater men of my side, that if it had been his free opinion (and

(and not a Position which he was forced to take up to defend his Cause) his Authority is sufficiently weighed down. Secondly, For Doctor *Willet*, he is sadly mistaken himself in that Canon of the Council of *Orleance*, which the Quaker repeats out of him: For he mistakes both the words and the sense of it. That Canon being not concerning Tithes paid by the people, but concerning voluntary gifts from the Higher to the Lower Clergy. And the words are, *Concerning the present Bounty which any Clergy Man shall think fit to communicate for their support, as it is in the power of the giver* [tribuere quibus voluerit] *to give* (not *what*, as the Doctor reads, but) *to whom he pleases: so if there be any disobedience or stubbornness found in the Receiver, upon a declaration of the fault* [in arbitrio sit Præsidentis] *it shall be in the Bishops power, whether or how far he shall revoke his gift.* Concil. 3. *Aurel.* Can. 17. *Bin. T. 2. p. 2. pag. 29.* And surely the Doctor hastily mis-read *præsidentis* for *Præsidentis*, for otherwise it cannot be imagined how he should be so deceived, as to fancy they said it was in the Givers power to revoke Tithes, since that very Counsel, Can. 22. *Excommunicates him of whatsoever Order he be, who presumes to revoke that which he hath given to the Church.* Indeed it was in the Bishops power to determine temporary and arbitrary Donations, for by the fifth Canon of the same Council, all the Acquisitions and Revenues of the Church are put into his power. And therefore this Council sup-  
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posing Gifts to be not revocable, & referring all kind even of arbitrary Donations among the Clergy to one another, to the Bishops decision, did believe the Word of God did lay a necessity on such Gifts, and (as the History of that Age proves) on Tithes among the rest. Again, the Doctor is much overseen to instance in the *Ethiopick* Church, as one in which no Tithes were paid, for the *Ethiopick* Liturgy (which I have by me) hath a Prayer (which *T. E.* may read in *Selden*, pag. 66.) to this effect, *For those who have offered their gifts to the Holy Church, the Sacrifice of their First-Fruits and Tithes, the sign and monument of their gratitude, &c.* Which things I do not remark with any displeasure to that learned man, only *Opere in longo fas est obrepere somnum*, He was mistaken in these things, and in his opinion about Tithes too, especially since he seems to bring in the Alterableness of them as the Opinion of this Church, whereas it is certain the generality of our *English* Protestant Divines, have maintained them due by God's Law, as I have shewed before, so that the Quaker can neither defend himself by Reason nor Authority in this matter.



§. 8. **P**Ag. 149, 150. My Friend and I both, had confirmed the preceding proofs from Scripture, by observing that *The Christians afterwards voluntarily Dedicated this Tenth part to God. And what a man dedicates to God and his Service, that becomes due to God, and he hath a Right to it, though it was no way appropriate to God before.* Which Argument (considering all that hath been said, to shew that Tithes were appropriate to him) adds great force to the Divine Right, and makes them so due by a double claim, the one being the Antecedent Declaration of God's approving that part, the other the subsequent Dedications of the same. Here *T. E.* was at a loss, for he could not deny the matter of Fact, viz. that such Dedications were made; nor dare he say, that a man may not give God a peculiar Right to a thing by Dedicating it now under the Gospel, for the contrary is plain from *Acts* v. 3, 4. and He knew also that Tithes in this Church are due by this Dedication, and therefore he cavils about petty things, and saies not one word to this Argument, which is of great Force to confirm the *Jus Divinum* in our Case, and his silence as evident a Confession he cannot answer it. As for the *Antecedent Right*, I produced several Scriptures, and he hath not yet brought one against it, and so the slander of affirming, *That Christ denied Tithes*, lies yet at his Door; and for the

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*Subsequent Right* by voluntary Donation, my Friend plainly intimated there was abundant satisfaction to be had by searching Antiquaries and Church Historians; but since *T. E.* had wilfully over-looked the eldest proofs, I brought some of them in my last, and will now vindicate them, and produce divers others to confirm my Opinion.

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CHAP.

## C H A P. IV.

**P**Ag. 153.] To clear my Scripture proofs for the *Jus Divinum* already produced as being agreeable to the sense of the Primitive Church, and to vindicate the following Donations, as grounded upon the Opinion of the Fathers, and the Practice of the best times; my next care was to shew the Primitive Opinions and Practice concerning Tithes: And here *T. E.* (suspecting he should not be able to make any satisfactory reply) cunningly anticipates my Arguments by pretending, that all this is to prove the Humane Right, which (he falsely saies) depends on the Divine Right, and desires his Reader to believe, that is yet unproved, and according this must needs fall with it: All which is false and precarious, for *First*, when I bring in the Opinion of Primitive Fathers and Councils asserting the Divine Right, I am not proving the Human Right only, but bringing in the best of Witnesses, that the Divine Right is the sense of Holy Scripture. *Secondly*, Neither doth the Human Right so depend on the Divine Right, as that one must Fall with the other; for if so, then his two Doctors were out in denying the Antecedent *Jus Divinum*, and yet holding the Human Right of Tithes now established, and 'tis very sure we have a good Human Right to ma-  
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ny things for which we cannot pretend a Jus Divinum, and Mr. Selden himself saith, *Whatever is lawfully established by a Civil Title is clearly debitum justiciæ. Pref. pag. 15.* So that supposing I had not made out the Jus Divinum, yet if I make out the Human Right I do sufficiently prove them due in Equity, if nothing in God's Law expressly prohibit that Human Right. And again if I should not make out the Human Right, yet if I have made out the Divine Right, that stands good still in Mr. Selden's Opinion, *Let Human Laws, Practice and Opinion* (saith he) *be as their Authors*, yet whatsoever Argument may be found in the Law of God for the Right of Tithes, remains still as untouched, and equally of his former power, as the Heat and Light of Heaven ever did, notwithstanding the use of Fire upon Earth. *Pref. p. 15.* So that T. E. mistakes to think his disproving one of these disproves the other, and 'tis but a poor come off, for him who bragged in his Title Page, *He had removed all four Posts*, now to be forced to beg of us to believe he hath removed one, and thence to infer, the others fall with it.

s. 1. **Pag. 154.** T. E. begins with Hypocrisie in saying, *I begin with the Apostles times*, whereas I had treated of those times before, and expressly say, *I will look back into the Primitive times*, pag. 75. But this falshood was necessary to introduce his

four next Pages, which are all grounded upon this unjust pretence, that I am speaking here of what was upon record in Holy Scripture; whereas my words and sense are very plainly concerning the Primitive Christians of the Age next to the Apostles, for my words are, *The Apostles having given a general Rule, (viz. Gal. vi. 6. in their own time spoken of before) for the Faithful to communicate to their Teachers in all good things, the Primitive Christians (that is, those of the Age following) did alwaies make liberal oblations to their Pastors, not only of Houses and Lands, as we read in Holy Scripture, but also of Money and other things, which being collected every Lords Day, was delivered to the Bishop, saith Justin Martyr.* The plain sense of which words is, that the Christians of the Age following the Apostles, did offer Houses and Lands (as those mentioned in Scripture did) and many other things besides, which were put into the Bishop's hands, as *Justin Martyr* assures us. To which his first Cavil is, that he might put in the word [*only*] the Apostles having left *only* a general Rule, &c. And what then? suppose they did leave only a general Rule, the Primitive Christians must come to particular things & quantity too before they could actually give; and if putting in, would have done him any service, we have seen he makes no scruple of that at all. *Secondly*, He asks me, where I read in Scripture that the Christians gave Houses and Lands? I reply, that I am speaking of the times after the Apostles  
whose



whose History is not to be expected in Scripture: yet even there we read of some who gave Houses and Lands to the Church, *i. e.* the Prices of them, it being usual in common Speech to say, *we give* that, whose *intire value* we give. *T. E.* had best play such Tricks with the Apostles words (as he does with mine) and charge them with non-sense for saying, *The Oynment might have been sold for much, and given to the Poor*, Matth. xxvi. 9. yea Christ bids the young man, *Sell that he hath and give to the poor*, that is, Give it when it is sold, Give it turned into Money, which is more convenient for the poor, than Houses and Lands are: So these Christians (as *Calvin* and *Beza* think) gave Houses and Lands first; but because settlements of Houses and Lands were not thought durable provisions in *Judea*, which they believed would shortly be destroyed; therefore they turned them into Money, and gave them so: yet even in Scripture we read elsewhere (out of *Judea*) of Churches in some Christians Houses, *Rom.* xvi. 4. *Colos.* iv. 15. *1 Cor.* xvi. 19. *Phil.* v. 2. which *Oecumenius* expounds of consecrating their Houses for the assembling of the Saints: and Mr. *Mede* proves that these Houses were given to God *in Specie*, see his Proofs for Churches. *Cent.* 1. p. 20, 21. yea there is extant a genuine Epistle of *Pius* 1. Bishop of Rome, which mentions one *Euprepia*, a devout Matron, who made her House into a Church. *Bib. Patrum Tom.* 1. & *Bin. inter Epist. Pii. Tom.* 1.

Not to enlarge now into all other Authors, *Naxianzen* will acquaint us that there were many who had consented to let their whole Houses be appropriated to the Church; and *Eusebius* mentions the Restitution of Houses and other Possessions which had been given to and enjoyed by the Church long before *Constantine*, *Euseb. l. 10. c. 5.* and *St. Cyprian* is specially remarked to have given his Houses and Land to the Church; about whose time *Mr. Selden* saith, *that the most bountiful Devotion of good Christians continued in frequent offerings both of Land and Goods to a large value*, See his Review pag. 462 and though he suppose this selling all and living in common was not long in use; yet even when *Justin Martyr* writ his second Apology, it did remain, *Ann. 160.* For he saith there, *Wethat loved Money and the profits of our Estates above all things, now bringing all that we have into one common Stock; we communicate with the poorest, &c.* And the Custom of that age assures us, all this was deposited with the Bishop, who did dispose of it as he saw fit. And now I hope *T. E.* is satisfied, that Houses, Lands, Money and other things were given by the Primitive Christians to their Pastors.

§. 2. **P**Ag. 158. My Adversary hath no mind to enter upon the Argument of the Primitive Practice, and good Reason, for he knows nothing of it ; but what he gleans from Modern relators ; and because Mr. *Selden* mentions not *Justin Martyr*, poor *T. E.* lets him pass unexamined, though he testify the large Donations to the Clergy of his Age, who in Oblations had sufficiently for themselves and for all sorts of Charity besides. But since he doth not take notice of him, we shall next enquire whether there was not something in that large Maintenance answerable to Tithes ; yea whether Tithes themselves were not payd, ( before any Humane Laws about them ) purely in Obedience to the Law of God. I brought *Irenaeus* to prove this, who plainly affirms, *We, (i.e. we Christians ) ought to Offer to God the first Fruits of his Creatures.* And though he cite a piece of *Moses* to prove it ; yet it is a *Moral Precept of not appearing before the Lord empty* ; which obliged Christians in *Irenaeus's* Opinion, to Offer some Oblation to God whensoever they came to his Solemn Worship, see *1 Cor. xvi. 2,* and those kind of Oblations he affirms are not abrogated, but remain Obligatory to us ; which shews he thought First-Fruits, (and what he meant by them we shall see presently ) ought to be paid by Christians. Now if *First-fruits* be Obligatory, why not *Tithes* ? these were first enjoined by a

written Law under *Moses*, as well as Tithes, these were the Maintenance of the Levitical Priesthood as well as Tithes; these had Ceremonies annexed as Tithes had; and there is better proof of Tithes before the Law, than of First-fruits. So that if *T. E.* would understand by First-fruits somewhat differing from Tithes; yet still he grants a Maintenance, once Ceremonial, continued to the Gospel-Ministers; and must shew some Reason why not Tithes as well as First-fruits. But the very Truth is, as well in *Irenæus* as in other Ancient writers these words [ *First-fruits* ] and [ *Tithes* ] are used promiscuously; and First-fruits are often put for Tithes, especially in those Authors which writ Originally in Greek, as *Irenæus* and *Origen* did in those works whose Translations only we read; and therein the word [ *Primitia* ] which we may first observe in *Philo*, whose phrase most of the Greek Fathers imitate, and he calls Tithing of Cattel, Ἀπαρχιδας δεικνυσας ἀπὸ ζώων pag. 437. and Tithing of Corn, Δεικνυσας ἀπὸ σίτου ἀπαρχιδας pag. 704. yea in the same page he calls the Tithe of Cattel ( Ἀπαρχας i. e. First-fruits. ) Again he evidently uses Ἀπαρχας and Δεικνυσας ἀνατιδέναι to Dedicate First-fruits and Tithes for the same, *Act.* p. 437. 438. and pag. 832. ἀπαρχιδας ἀπὸ τε σίτου, οἴνου, ἐλαίου &c. is Translated, *Exiguntur Decima Frumenti, Vini, Olei, &c.* And the meaning is, Tithes are required of Corn, Wine and Oyl. So also *St. Chrysostom* calls the Tithes which *Abraham* gave

gave Melchisedec, τὰς ἀπαρχὰς τῶν αὐτῶν πει-  
νμένων. The First-fruits of that he had taken  
pains for : Chrysostom in Hebr. Hom. 12.  
yea the Heathens had the same notion of  
First-fruits, for those Tithes of the Pelasgi-  
ans (mentioned by Mr. Selden,) are called  
both Δεκάτας τῶν προσγενησομένων ἀνδρῶν, The  
Tithes of all that they acquired; and the pay-  
ing of them is presently called by Dion. Ha-  
lic. ἀποδέδαι τὰς ἀπαρχὰς, Selden Review  
pag. 459. Yea Mr. Selden Translates, Δεκα-  
τη φέρει ἀπαρχαί, by First-fruits is in Tenths,  
Chap. 3. p. 39. and if that be good Sense,  
then surely First-fruits may be paid in the  
proportion of a Tenth, and were so it seems  
among the Gentiles. So that neither Mr.  
Selden nor his Plagiary need Wonder, why  
Origen, when he mentions Tithes in his Argu-  
ments, should in his Conclusion leave out Tithes  
and speak only of First-fruits, Selden p. 41. For  
the reason is plain, viz. Because he took them  
both to signify the same thing under the Gos-  
pel. And if I may add my Conjecture why  
he and other Fathers and Councils did so use  
First-fruits for Tithes, I suppose it was be-  
cause the Christians paid rather more than a  
Tenth part; and so though they paid it as  
Tithes, yet their Devotion and Bounty in-  
clining them usually to exceed that Quantity;  
it could not be so very strictly named [Tithes]  
as [First-fruits] because First-fruits were  
a proportion greater or less according to the  
Piety of the Giver; and therefore Ælian  
spoke very exactly when he called that which



was not a strict Tenth part. *Ἀπαρχήν τε τὴν  
ἡ δέκατον* *Hist. an. l. 4. c. 53.* And especially since the word [*Ἀπαρχή*] signifies the very chief and best in Quality also, as well as that which was first Offered, before any use was made of the other parts, see *1 Sam. xv. 21.* in *LXX.* and *James i. 18.* And good Christians paid Tithes always of the first and the best things: And this may serve to prove that *Irenaus* and other Fathers and Councils meant Tithes by First-fruits; and if there was any difference, it was in that the Christians offered somewhat more, as *Irenaus* his 2 Quotation shews, which plainly affirms, that the Christians gave not less than the Jews; and supposes they gave more, which includes Tithes also. And besides, I now add, that *Irenaus* did reckon Tithes a part of the Moral Law; for when he comes to reckon up the precepts thereof, which he saith Christ came not to dissolve but enlarge, he instances in these, *Thou shalt not commit Adultery, thou shalt not Kill, thou shalt pay Tithes.* *Lib. 4. Cap. 27.* *Irenaus* therefore witnesses, that Christians in his days (140 years after Christ's Death) Offered First-fruits, and that in the Proportion of a Tenth at least, never under; esteeming Tithes as part of the Moral Law, not abrogated by Christ, who required at least a Tenth and expected more from them. And all this they did before any Humane Law enjoined them to it; purely because they believed God required it of them, which is plain Evidence that the *Jus*  
Divi-

*Divinum* was believed in that Age.

Page. 159. And considering the *Apostolical Canons* were made not long after *Irenæus* his time; his Testimony gives great Credit to what they say in this matter, concerning the usage of paying the First-fruits of Honey, Milk, Liquors, Birds and Beasts, Pulse, Grapes and Corn, which are ordered to be sent to the Bishops House as First-fruits for him and his Presbyters *Can. 3. and 4.* and the Christian-writers of that Age do so agree in this matter, as a Learned Author of this Church hath lately proved, (a) that none can justly doubt of the Matter of fact. However the Quaker not only questions but despises the Authority of these Canons; and yet is so grossly ignorant as not to know these

(a) *Brutus*  
reg. vind.  
can. Eccle-  
siaz prim. l.  
2 c. 2.

Canons from the *Apostolical Constitutions*, for it is not these Canons but the Constitutions which his Author speaks of. And whereas *T. E.* saith, *Epiphanius is the first that mentioned them, An. 380.* he is sadly mistaken, for he mentions indeed the *Apostolic Constitutions* twice, (b) and if he do at all mention

b) *Epiphanius*  
l. 1. Tom. 3.  
hæres. 45.  
& Lib 3.  
Tom. 1.  
hæres. 70.

these Canons (which is questionable) he is not the first that mentions them; for they are cited and referred to by *St. Basil*, by *Alexander Bishop of Alexandria*, by the Council of *Nice*, by *Arhanasius* and others,

(c) long before *Epiphanius* his time. And whereas *T. E.* affirms they are condemned in the 6th. Council at *Constantinople*; nothing can be more notoriously untrue, since it is not the Canons but the Constitutions *A-*

(c) *Brutus*  
reg. ut sup.  
l. 1. cap. 3.  
4. 5. 6.

post-

*postolical* which that Council condemns ; as *T. E.* himself afterward confesses out of *Selden*, in the next page but one, *page. 162.* As for these Canons, the *6th.* Council is so far from condemning them that they establish them by name as genuine and Authentick ; for when they come to reckon up what Writings, are to be received by the Church, these Fathers say, *also those 85 Canons received and established by our most Holy Fathers, that were before us ; and delivered unto us under the name of the most Holy and Glorious Apostles, shall from henceforth remain firm and undoubted.* *Concil. 6. in Trul. Can. 2.* I hope *T. E.* will rather confess his folly than own so manifest a dishonesty, and declare that Mr *Perkins* led him into this Error ; from which his inspiration it seems did not secure him. But though in Mr. *Perkins* his Latine Copy it be *Liber Canonum, &c. pag. 7.* yet he that translated the Demonstration of the Problem, saw the Error ; for there tis amended and the English Copy hath it, *The Book of Apostolical Constitutions, page 556.* But the Quaker is 'led blindfold, and if his Leader leave one Stone in his way, he certainly tumbles over it, and therefore is not fit at all to write of these matters ; for he runs again into this same mistake, when he tells us Mr. *Selden* in his review shews at large that these Canons are false ; for Mr. *Selden* in that review of the *4th.* Chapter p, 462. 463. 464. is disputing against the Constitutions, not the Canons. Indeed he (who is wont to discredit every thing

thing that futes not with his designe) calls them *Counterfeit Canons*; but that may respect only the name, viz. when they are attributed to the Apostles as Authors, for he thinks the Apostles did not make them, see *Seld.* Chap. 4. pag. 43. And I think so too, and therefore I called them not the Apostles Canons, but the *Apostolical Canons*, and said, *they were the Decrees of divers Christian Synods in the times of Persecution*; and as such, they are now proved genuine and Authentic by so much Learning and force of Reason and Authority in Dr. *Beverege* his late Tract called *Codex Canonum Eccles. Primit. Vindicatus*, &c. that no men of either Learning or Modesty will Question their Authenticalness hereafter. Here then we have a Second undoubted Testimony for the Payment of First-fruits (the name of this Age for Tithes) in so large a Quantity as that the Bishops House was made the Storehouse of them and this, while the Emperors were Heathen, about the year of Christ 200.

§. 3. **P**Ag. 160. My next witness is *Origen*, (who as we have shewed before) affirms, *That the Law of Tithes and First-fruits ought to stand in force now; and pleads the Equity of it in the Quotation which I cited here*; and all that *T. E.* can say against it, is that *Origen* mentions only First-fruits and not Tithes; I Answer that (besides what I have said before to prove his using those

## The Right of Tithes

these phrases promiscuously, ) Mr. Selden himself confesses pag. 41. That Origen speaks of Tithes, when he saith, *We are taught to observe these, by the very word of God himself, according to the Letter.* And is not all that exposition about Tithing Mint, &c. and exceeding the Righteousness of the Pharisees intended by Origen to prove Tithes due under the Gospel? And when Origen there speaks of the Jews, how they paid Tithes to the Levites, and First-fruits to the Priests; and shall I (saith he) doing neither of these (i. e. neither paying Tithes nor First-fruits) use the Fruits of the Earth so as the Priest know not of it? &c. and then he concludes that this Law which he had been Disputing for, ought to stand. And if the word be only [*ἀπαρχή*] considering the use of that word, and also the scope of Origen's premisses; it must be granted he disputed for Tithes as well as First-fruits. But it is clear enough that Origen used First-fruits for Tithes, by that place of his admired work against Celsus the Pagan. For speaking of what the Heathens gave to their Gods, (among which were Tithes, as we have fully proved before,) he saith, *Celsus would have First-fruits Consecrated to Demons, but we to him that said, let the Earth bring forth, to him we give our First-fruits, to whom we send up our Prayers.* Origen. in Cels. lib. 8. pag. 400. Yet if T. E. would have the Name of Tithes in Origen, we have that also Hom. 16. in Genes. where he saith; *The Number Ten is venerable in the*  
*Old*



Old Testament and in the New. And because God is the Author of both, and one Christ the Original Fountain of both; therefore also the People give Tithes to the Ministers and the Priests. So that we have a third full and clear witness for Opinion and Practice both, to confirm us that the *Jus Divinum* was continued to be believed in the Church Ann. 210.

Pag. 161. ] About 40 years after lived St. Cyprian, whose works T. E, hath fairly consulted at second hand in Mr. Selden, and takes upon him to correct my Exposition of a Sentence of his; but how, truly now I must enquire. St. Cyprian, ( who had given his own Patrimony to the Church ) commends the first Converts who sold their Houses and Lands, and who laying up their Treasure in Heaven, offered the Prices of them to the Apostles to be distributed to those that need; and hereupon blaming the remissness of his own Age saith, *At nunc Patrimonio nec Decimas Damus*; But now we do not so much as give Tithes out of our Patrimony or Inheritance. So it is to be translated, whatsoever Mr. Selden or his Eccho say to the contrary: for I appeal to any Grammarian, if *Patrimonio decimas dare*, can without violence or intolerable harshness be translated or made to signify, the Tenth part of a Mans Patrimony; that had been *Decimam partem Patrimonii*, but *Decimas* is plainly Tithes, and *Patrimonio*, is, from, or out of our Patrimony; the Tenths of the Profit, not of the Land. But  
nothing

nothing is more ordinary with Mr. *Selden* than to pervert wilfully the Sense of those Authors that agree not with his espoused Opinion; of which unjust dealing this corrupt gloss is a plain instance. For *T. E.* he winks and follows, and is glad of any thing to cover his bad cause; but I know the unprejudiced Reader will see, that St. *Cyprian* thought, if Christians were not so perfect as to sell all, yet at least they ought to give Tithes; and that he counted it a fault to omit it. But *Perkins* hath (as the Quaker thinks) helpt him to another Cavil, viz. That this Book of St. *Cyprians*, *de Unitate Ecclesie*, is suspected to have been corrupted. To which I Answer, we know both that it hath been corrupted, and by whom, and in what places, and for what end; for Dr. *James* the first discoverer, hath by Old Manuscripts found out, that the Papists to set up the Popes Supremacy, have added several passages, and in his excellent Censure of the Fathers he sets down all the places, pag. 11. But neither *Perkins*, *Selden*, nor any other question this place, and indeed it conduces nothing to the corrupters designs; yea and it agrees not only with the Doctrine of other Fathers of that Age, but with what he speaks in one of his Epistles; where Mr. *Selden* grants that St. *Cyprian* says, The Clergy had a Maintenance proportionable to the *Levites*; and yet he would fain perswade us it was not Tithes. The Epistle is to check a Clergy man for immersing himself in Worldly affairs

fairs, and therein he saith, that the *Levites* were provided for on purpose, so liberally, that they might not be hindred from Divine Administrations. And then he adds, *which Reason and Form is now kept in the Clergy, that they who are promoted to Holy Orders in the Church, should by no means be called off from Divine Administrations, but in the Honour of the Brethren who are allotted their portion, receiving as it were Tithes of Fruits, should not recede from the Altar and the Sacrifices: Cypr. Epist. l. 1. 9.* Now since the *Levites* Maintenance was so large, for this reason, that they might not labour in worldly affairs, and the form of it was by way of Tithes; if (as *St. Cyprian* saith) the same *Reason and Form* was held in his time among the Christian Clergy; then these were as liberally maintained as they, and in the same form, for the main. Only *Cyprian* notes the difference when he saith, *receiving as it were, Tithes of Fruits*; because in the Christian Church then all Tithes *in Specie* were paid to the Bishop (as well as the times would permit) and the Bishop (whose Clergy then resided in the Cities with him for the most part) allotted every Priest his *Spartula* or portion of all necessaries out of the whole store; so that the inferior Clergy did not receive Tithes of Fruits *in Specie* of the people, but had an Honourable portion out of them allotted by the Bishop which was, *as it were Tithe of Fruits*. That is, it was the same thing in effect, and the People paid the Tithe, only the State of the

the Church then, would allow of no other way to take and distribute them. Which being the true sense of this passage, (as all who know the State of the Primitive Church will grant) it follows, that the People paid Tithes then, and the Bishop received and distributed them; and this being not then enjoined by any Humane Law, it was done in obedience to Gods Law, and so it is another evidence of the continuance of the Practice of Tithing, and the Opinion of their being due *Jure Divino. An. 250.*

*Pag. 162.* I laid not much stress upon the next Testimony out of *Clements Constitutions*, yet because the Quaker doth so unjustly depreciate it; I shall now prove that this is no such mean Evidence as he pretends. *Perkins* truly saith, this is none of the writings of *Clemens Romanus*, and *Selden* will allow it to be made by the Apostles, and so far I agree with them both. But we have better Authority than either of them; that it is a very ancient Collection, and made by another *Clement* (perhaps *Clemens Alexandr.*) *St Athanasius* mentions it by the name of the Doctrine of the Apostles, and reckons it among the Books which the Fathers allowed to be read. *Ep. ad Ammum Mon.* *St. Cyril of Jerusalem* cites a Sentence out of it (as *Clement* writes, saith he, &c.) So doth *St Chrysostom Hom. 53. in Math.* *Epiphanius* cites it divers times *L. 1. Tom. 3. har. 45. and L. 3. T. 1 har. 75.* And he gives us this Character of it, the *Constitutions of the Apostles are doubted by many, but not rejected,*  
for

for all regular Order is contained in them; and nothing corrupted either as to Faith and Confession, or as to Church-Government, and Rules.

Epiph. l. 3. T. 1. her. 70. So that in Epiphanius his Opinion those Constitutions which are for Tithes and First-Fruits are neither contrary to sound Doctrine nor good order.

'Tis true, the 6. Council in Trullo near two hundred years after complains, that the Hereticks had mingled their Corruptions with them, and obscured the glory of what was Divine in them, and upon that score only they censure them, for Aristenus his Epitome of that Canon is, *Let those things which the Hereticks have conveyed by stealth into the Apostolical Constitutions by Clement, be rejected.* So that what there is in them agreeable to the Doctrine of all Orthodox Fathers, and that which was never accounted or called Heresie, that may and ought to be received still, and such is the Doctrine of Tithes and First-Fruits, which this Author saith *are given to the Bishops according to the Commandment of God*: So that here is still another Witness of the *Jus Divinum*, yet if our Adversary will be contentious, we may set this evidence aside, having enough without it.

Pag. 163. In the next Century we have abundant Proof, and first I produced St. Ambrose, Who (as Mr. Selden confesses, pag. 53.) teaches Tithes to be due by God's Law. And indeed the Two Testimonies which were cited out of him before, are very full to  
 O that



that purpose, viz. That it is the work of a Christian to pay Tithes, That the Lord commands us so to do; That we must do it faithfully, and of the best, and of all our gains; That God hath reserved the Tenth to himself, and it is not lawful to detain it. Nothing can be plainer: but T. E. (who must seem to say something) objects, that I put in the word [Now] and yet St. Ambrose his sense is, that God doth require it now, he commands it [in the Present Tense] and commands us Christians to pay Tithes; so that the word [now] is implied, and makes no alteration in the sense, nor will it hurt me to leave it quite out. Secondly, He objects (out of Mr. Selden) that he fetches his proof from the Levitical Law; I Answer, He brings in a Text out of Moses Law, containing the Blessings promised to those who justly pay Tithes, and the Curse to those who detain them, but as a motive only, not a proof: and since he looked on the Duty as moral and obligatory to Christians (as many Duties written in Moses Law are) it is not of less force, either as it is a Precept or Promise, for being writ there; and though there be Ceremonial Rites annexed to Moral Duties in that Law, yet take the Ceremonies off, and as well the Precepts as the Promises and Threatnings are in Force still; and though we do not claim Tithes by virtue of that Law as 'tis Ceremonial, yet as far as Tithes are Moral, as far as that Law confirms the Divine approbation of the Pro-  
por-

portion, so far it strengthens our claim and teaches us not to give less, and a Christian that justly pays Tithes without the Ceremonies then Annexed (in St. *Ambrose* his opinion) hath a right to all the Blessings then promised to that Duty, and therefore he cited those Texts. *Thirdly*, He doubts of the Quotations whether they be genuine, but all he can say is, *That Ambrose his Sermons are by Perkins accounted spurious*; which is very rashly done of that Author, and for a very frivolous reason, *viz.* because some of the same are found in *Augustin's* Sermons; but then these two, 33 and 34, are none of that kind; yet if they had, it had not much abated of their Worth, nothing being more usual than for the genuine Work of one Father, to be found under the name of another, as *Ruffinus* his Exposition of the Creed is found in St. *Hierom's* Tomes, and under his name, and yet is the genuine work of *Ruffinus*. Besides, Dr. *James*, one far more exact than Mr. *Perkins*, reckons up which Sermons of St. *Ambrose* are not genuine in his censure of the Fathers, p. 28. *viz.* the 3, 14, 31, 32, 47, 50, &c. but he doth not account these two in that number; nay Mr. *Selden* himself (apt enough to Question all Quotations that agree not to his opinion) makes no exception against these two Sermons, a sufficient sign they are genuine; So that we conclude St. *Ambrose* also is a good Witness for the Opinion of the *Jus Divinum* of Tithes, and the practice in his time ap-

pears to be grounded upon that principle,  
*An. 380.*

*Pag. 164.* About the same time is *Epiphanius*, who, as I noted, saith, *The Scripture exhorts the people to give the Priests First-Fruits, Oblations, and other things for their Maintenance.* This Quotation *T. E.* cannot deny, but yet strives to evade it by saying, *First*, That Tithes are not mentioned; but since the *Greek* Fathers generally use this word for Tithes (as I have proved before) this is the same thing under another name. *Secondly*, He saith, *He is certain no Scripture of the New Testament doth thus exhort the people.* By which reply I am very certain he never saw the place in *Epiphanius*, who there Quotes a Text out of the New Testament; yet this blind and bold Censurer of Authors he never read, makes himself ridiculous by guessing that *He must necessarily be understood to speak this with Relation to the Levitical Law*, whereas *Epiphanius* there Quotes the *1 Cor. ix. 7.* only, and no other. *The Divine Scripture saith to the Pastors, because of their continual employment about the people, and their frequent service in Ecclesiastical Administrations, Who feedeth a Flock? &c.* (citing the place at large) *That it might secure the Bishops and Priests from wanting fitting provision, it exhorteth the People, &c.* (as before). A little after he adds that the Priests have Right to these First-Fruits and Oblations; and that some who needed them not for themselves,  
yet

yet took them of the people, and gave them to the poor. *Thirdly*, As for Mr. *Selden's* large Objection out of *Epiphanius*, I have fully answered it before, *Chap. 2.* and am not at leisure *actum agere*. So that I conclude *Epiphanius* thought Ministers of the Gospel had a Right to that which he calls *First-Fruits*, i. e. *Tithes*, even by the Scripture of the New Testament, and that they were paid in obedience to the Exhortations thereof, which shews in his time they were owned to be due *Jure Divino*.

*Pag. 166.* St. *Chrysostome* is my next Witness, against whose evidence *T. E.* hath only a few slight conjectures. And here that I may not be like him, I will freely confess I have discovered a mistake in my former Quotation, by consulting the Original, according to which I shall now rectifie it: St. *Chrysostome* in that 35 Hom. on *Genesis*, (which neither *Perkins* nor the Library-keeper count spurious) is speaking of *Abraham's* paying Tithes, *Whence even now he* (i. e. *Abraham*) *is become a Tutor to all to express much gratitude, and to bring in the First-Fruits* (*Primitias* and *Decimas* saith the old Latin Version) *of what God gives us.* And since he calls *Abraham's* Tithes by the name of *First-Fruits* (as I noted before) no doubt he is so to be understood here, viz. That Christians ought to learn of *Abraham* to express their Gratitude by the Oblation of such *First-Fruits* as he offered, viz. *Tithe of all.* And in like manner he is

to be understood in another genuine Homily, where exhorting Christians to build and endow Churches in the Country that their labours may be blessed, he saith, *Is it not a small thing out of all thy Fruits, to take a part for God, and First-Fruits in the first place, this being profitable for the Husband-man's prosperity?* Hom. 18. in Aët. Tom. 4. p. 716. where he makes First-Fruits to be God's part, and a settled Dowry for the Church, as may be seen at large by consulting the place: And to assure us these First-Fruits were not to be less than a Tenth, he saith elsewhere, *Oh what a shame is this! that what was no great matter among the Jews, should be pretended so among Christians. If then it was a dangerous thing to fail of giving Tithes, know it is more dangerous now.* in Ephes. Sermon. 4. Tom. 3. 784. where we see he accounts it shameful and sinful for Christians to give less than a Tenth. And for the place which Mr. Selden and T. E. both do abuse, I will give it at large out of the Original to shame them, and clear my Position: *When the Artificer sells any thing of his Art, let him pay [ a Tithe, or ] a First-Fruit [ ἀπαρχήν, Philo's word for Tithing, as I have shewed ] of Honorary acknowledgment out of it unto God; Let him cast a small part to him, for I require no great matter, but so much as the Jewish Infants in Religion laden with many evils paid, let us that expect Heaven do so much; I speak not this as making a Law, or forbidding to give more, but requiring that less than a Tenth be not consecrated; and not the Sel-*  
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ler only but the Buyer must do this. This Law also they must observe in their profits who are possessors of Fields. This must be observed by all that gather any just encrease. Hom. 43. in 1 Cor. Tom. 3. p. 53. And is not this a plain proof that ( though he do not fix the proportion of a Tenth, so as it might not be exceeded, yet ) he requires that none should give less, and calls it a Law to be observed by all? Nor was the Tenth named only as an Example to excite Christian Charity, but plainly as the lowest measure of a Christians absolute Duty, insomuch that even in his Daies the very Clergy murmured, if the people did not offer their Tithes, as he notes, Hom. 44. in *Matth.* We conclude therefore that St. *Chrysostome* looks upon it as a Duty now incumbent upon Christians to pay Tithes or First-Fruits, and though they may give more than a Tenth, it is shameful, dangerous and unlawful to give less. Which he thought dangerous to the Soul, with respect to God's Law, and consequently esteemed Tithes to be due *Jure Divino*.

Now to clear this further, as to St. *Chrysostome's* Opinion, I shall add two new Testimonies of two of his Eminent Schollars, who as they had learned from him, held it lawful for Christian Ministers to receive Tithes, and the Peoples Duty to pay them. First, *Isidore Pelusiota*, who in his Epistle to Count *Herminus* saith, Thou dost rightly honour God in giving us the first of thy Fruits, and

returning the Tithes of the encrease of thy Land unto him that gave it; by which means thou shalt long enjoy thy Estate, reserving sufficient for thy own need at present, and preparing for thy self Eternal joy hereafter. *Isid. Peleus. Epist. Lib. 1. Ep. 317.* How different was this Holy Father from our modern Fanaticks! They cry out as if it were disallowed by God, and a damnable Sin to pay Tithes; He saith it is a right way of Honouring God, a means to procure his Blessing here, and a Duty so pleasing to the Lord that it shall be rewarded with Life everlasting hereafter; so that here is an undeniable proof both for Opinion and Practice too from one of *St. Chrysostome's* Schollars and great admirers. Secondly, *John Cassian* was another of his Schollars (who as the former, doth generally imitate his Masters Doctrine.) And he also plainly asserts the Right, and declares the practice of Annual Tithing: For in his 21 *Collat.* He mentions one *Theonas* coming to an old Abbot named *John*, (Carrying (saith he) his Religious gifts amongst other Possessors, who crowded in, to offer the Tithes or First-Fruits of their Estates, to the aforesaid Old Man, cap. 1. pag. 942. and a little after *Cassian* saies, It was the Custom of this *Theonas* to pay the Tithes of his encrease every year to the House of the Ministry. cap. 8. p. 945. Here the Practice of an Annual payment is so clear, that *Mr. Selden* confesses it; but to undervalue and evade it all he can, he saies, First, That *Cassian* writ this, *An. 430.* He writ it indeed about

about that time, but *Theonas* was very old in *Cassian's* Youth, and yet this relation of *Theonas* paying Tithes, was when the said *Theonas* was newly married, and his Parents married him very young. *Cass. Collat. 21. cap. 1.* Yea and the Church Histories assure us that Abbot *John*, who received Tithes of *Theonas* lived about fifty years before *Cassian*, so that this Testimony relates to the Times before the year 380. Secondly, Mr. *Selden* observes, *It was given to the Abbot as Treasurer for the poor.* I reply, that Mr. *Selden* himself, pag. 78. takes Distribution of Tenth's to the Poor, to be meant of Monasteries, *For the Monks* (saith he) *were usually called Pauperes, and were so indeed by their Vow.* I add that these Monks *Cassian* speaks of did really live up to that Vow, for they all renounced the World and would have no propriety, so that the Abbot received them for his poor Monks, and what they needed not, he who also had renounced all propriety, gave away in Alms (but the Case of the present married Clergy will not allow this.) However his receiving them shews his Right, and his distributing them his Charity. Thirdly, Mr. *Selden* pretends these Abbots were not properly of the *Ministring Clergy*: Which is (I doubt a wilful, I am sure) a gross mistake, since *Sozomen* speaking of two of these Abbots, *Piammon*, and this very Abbot *John*, saith, *They were Presbyters, and very reverently performed the Office of the Priest-hood.* *Soz. Eccl. Hist. l. 6. c. 29. mihi p. 395.* and the House  
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in which they lived, and to which the people brought their Tithes is called *Diaconia, The House of the Ministry*: Wherefore this is a clear Testimony of a Customary annual payment of Tithes to a Priest, long before the year 400. and in that Discourse of *Cassian's*, he brings in the said Priest declaring the payment of Tithes to be an act of Piety, and pleasing to God; only he thinks that they who would come up to the highest measures of Christianity, which those Primitive Monks aspired to, should give more, yea should sell all and follow Christ. And now I shall only note how foully *T.E.* hath belied *Mr. Selden* in saying, *He is positive for the first four hundred years*: since the very words he cites out of *Selden* do grant, *There was use and payment of Tithes towards the end of the first four hundred years*; and though he pretend it was not sooner, yet *Mr. Selden's* negative against so many clear Testimonies of the Fathers from *Irenaeus* downward, is of no force or value, for we have now proved both Opinion and Practice from the year 170.

*Pag. 168.* *St. Hierom* lived towards the end of the first four hundred years, and *Mr. Selden* grants Use and Payment in his time, so that he ought to allow my proofs out of him: But *T.E.* resolves to grant nothing, and therefore he first slips two of my Quotations out of *St. Hierom*: The former proving that there were so large First-Fruits given to Gospel Ministers in his daies, that they laied them

them up in their Houses as a store to live upon; the other declaring, that the Clergy had Tithes so plentifully paid, that they might well spare some to the relief of the poor Monks and Hermits. But these, it seems, were not worth T. E's notice, or rather he knew not how to answer them. The first he mentions is a Quotation he finds in *Striden*, and though he pick it up at second hand there, *Hist. Tithes*, p. 47. yet he is so bold to tell his Reader, I give not *Hierom's* words fairly, and pervert his sense: whereas I transcribed what was to the purpose, and very fairly cited my Author for any that pleased to see the rest, which doth more fully confirm my Opinion; for St. *Hierom* having sold his own Estate, is perswading other Clergy-men to do the like, and to live as he did of the Lord's portion, saying, *If I be the Lord's Part, and a Portion (Funiculus (c)), (c) Hebrai-* which T. E. rawly Translates, a Cord) *of* *ce, Funicu-* *his inheritance, and have no part among the* *lus heredi-* *other Tribes, but as a Priest and Levite, I live* *tatis, pro* *of Tithes, and serving the Altar am sustained by* *portione* *the offering of the Altar, having Food and Ray-* *vel parte* *ment, with these I will be content, and naked fol-* *ejus, quia* *low the naked Cross.* Here St. *Hierom* plainly *possessiones* *funiculis* *solent divi-* declares, the Gospel Clergy ought to live as *di. Ita vulg.* those under the Law did; as they were Gods *Lat. Jos.* *xvii. 5, 14.* *Psal. cv. 11.* *&c.* *nam* *Q*, his Portion, his part was Theirs, whereupon he himself had quitted his Temporal Possession, and had no more worldly estate than the Priests and Levites of old, but lived of Tithes and Oblations, as they did, and



and if this was not so plentiful a Maintenance as Lay-men enjoyed, yet if it would afford him necessaries, he would be content; and as Christ was Crucified naked, he would follow him stripped of all Temporal Possessions. This is the true sense of the place, and nothing is more agreeable to St. *Hierom's* principles, practice, and the Genius of those Times. And he plainly affirms he did live of Tithes and Oblations as plainly as he doth, that he had now no Temporal inheritance; and he mentions the Priests and *Levites*, only to shew Christ had made a like Provision for his Ministers, as God made for those, nor doth he say, *I live* as Priests and *Levites* lived of Tithes: But as a Priest or *Levite*, *I do live of Tithes*, which admits of no Evasion; for he doth not (as *T. E.* pretends) say, he was a *Levite*; but he saies positively he lived of Tithes, and in that was like a *Levite*. And yet I must tell my ignorant Adversary, that the Clergy, and especially such who (as St. *Hierom*) lived in Monasteries, are often stiled *Levites*, *The Religious are reckoned* (saith *Al. Hales*) *in the Order of Levites.* *Hales* P. 3. q. 5. M. 6. art. 2. and he that set out the Capitulars, *Benedictus Levita*, was a Monk in Orders in the Church of *Mentz*: But St. *Hierom* himself can best tell us his own meaning, who saith, *That which Aaron and his Sons, and the Levites were in the Temple, that the Bishops, Priests, and Deacons, are in the Church.* Ep. 85. ad. *Evagr.* Tom. 2. p. 512. As to St. *Hierom's* calling Tithes,  
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*The things that be Gods*; how ridiculously *T. E.* replies to that, was shewed in the Introduction; wherefore *St. Hierom* is another witness, that Tithes were paid as God's part to the Gospel Ministers before the end of the first four hundred years, and since he held the Law concerning them was obligatory to Christians, no doubt, he thought them due *Jure Divino*.

*Pag. 169.* Contemporary with him was *St. Augustine*, out of whom I produced many proofs: *First*, out of his 48 Homily (which is not censured by *Rivet* nor by *Perkins*) I shewed how he affirms, *That their Fore-fathers were blessed with plenty for paying Tithes.* This place *T. E.* not finding in *Selden*, he rambles up and down to make some shew of answering, but alas he goes about by meer conjectures to prove, that was not, which the men of those Ages in their genuine writings do plainly affirm to have been. *Tertullian's* Monthly Offerings as himself assures us (in the next words to those cited by *T. E.*) were bestowed, *In feeding the poor, burying the dead, in relieving Orphans, Bed-ridden old men, Ship-wracked persons, and for those who were condemned to the Mines, to Islands, and Prisons, only for the cause of Religion.* *Apol. cap. 39.* So that he is speaking of Alms for the Poor, and can any man fairly collect from hence, that because the poor had Alms, therefore the Clergy had no Tithes? yet this is the Quakers Logick. The place he  
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cites out of St. Cyprian I have shewed to be a plain proof for Tithes; and only note here that T. E. hath knavishly left out these words [ *of our Patrimony* ] which may be seen by looking upon the same Sentence in his 161 Page, where he hath *Tenths of our Patrimony*. And though my Adversary be so bold to say here, *That Tithes were not paid in Cyprian's time*; Mr. Selden ( who knew far more than he ) saith of the same time, *For any use of payment in his time, I was not so bold to make the Negative, that no Tithes were paid.* Review p. 460. and nothing makes T. E. bolder than he, but his blindness. The pretence of Epiphanius is baffled before; and though Mr. Selden would perswade us he was no witness for Tithes, yet he confesses, *That Epiphanius his Testimony seems not sufficiently to prove no use of Tithes in the African Church, no nor perhaps in the Western or European.* Review p. 461. How impertinent therefore is this Quaker to bring Epiphanius, who lived in the Eastern Church, to prove no Tithes in Africa, where St. Augustine lived, who affirms in an undoubted part of his Works, that they had been paid from the Daies of their Fore-fathers, i. e. long before his time? And that so often repeated Sentence of Willer's, is a great error, for I may now upon Augustine's own Testimony, and the evidence of many other Fathers, justify the contrary for a certain Truth, viz. *That in Augustine's time it was a general Law and Custom in the Church, that Tithes should be paid.*

Pag. 170. Mr. *Selden* confesseth that a Payment of Tithes in the *African Church* may be collected out of *St. Augustine's Sermons*, from thence therefore I brought a large and full proof both for Opinion and Practice. But *T. E.* would fain shuffle this off too, by Questioning first, whether this 219 Sermon be genuine: Mr. *Selden* only saith, *It hath been doubted whether it be his or no.* And I pray what Book of sacred or other Writer almost, but hath been doubted of? The Authors of divers Books of Scripture have been doubted of, and some have doubted of the evidence of sense; shall we therefore reject the Scripture, or refuse to trust our Senses? I am sure there is no reason to doubt of this Sermons being genuine, for *Cæsarius* Bishop of *Arles*, in the next Century, cites divers Passages of this Sermon, bringing them in with *Dixit Augustinus.* *Cæsar. Arel. Hom. 37.* in the same manner also it is cited by Venerable *Bede*, and in that Ancient Book called *Statuta Synodorum* cited by *Selden.* Hist. Tith. p. 210. and by many others; and is it likely a false piece could so early be fathered on *St. Augustine*, and so generally be owned, and none discover it? Neither do *Perkins* or *River* reckon this among his spurious Sermons, though they are apt to reckon more to be spurious than they need, as I could prove if there were occasion. Besides the Doctrine of this Sermon agrees with what the same Father saith in other parts of his Works: As that

195 Sermon, where he bids them *Pay Tithes every year to the Church and to the Poor, of all the Fruits they gather*, and Serm. 205. *Let us give some part, and if you ask, what part? I answer, a Tenth.* The like Doctrine he hath in his Enarration of the 146 *Psal.* and in several other places; what cause then is there to suspect this only? Mr. *Selden* tells *T. E.* that the very words of this Sermon are in the counterfeit Treatise falsely attributed to *St. Augustine* and inscribed *de rectitudine catholica conversationis.* I answer it is the more likely this Sermon is true; for the Counterfeitor of that Treatise did not know how to colour over his false Ware better, than by putting in some Sentences known to be *St. Augustine's* own, and yet (having compared these two) I do assure the Reader, that though there be much the same sense with this Sermon, yet there are but a very few of the words of it there, not three lines together, and those not in the method and order of the Sermon: So that we conclude the Sermon is Genuine, and scarce any piece of *St. Augustine's* can be so fully proved to be his. In the Second place *T. E.* flies to the words and Sense, that he may find out some cavil there, but all in vain, for whereas he charges me with omitting somewhat which he finds in *Selden*; was that a fault? I cited mine from the Author himself, and requested my Reader to peruse the whole Sermon, so that it cannot be imagined I would have any part of it concealed. As for the  
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Texts of the Old Testament; *Exod. xxii. Prov. iii. Malach. iii.* I have Quoted them all my self, and proved by reason and great Authority, that as far as concerns a Tenth part, they oblige Christians now; and surely T. E. will not say all proofs out of the Old Testament are part of the *Levitical Law*. And for his Allegations out of *Selden* about Relieving the Poor by Tithes, it is evident that is spoken only with relation to the charitable use the Clergy made of what they received in God's and their own Right; for their Piety was such, that out of the Churches Treasury they voluntarily maintained the Poor, who would have wanted that relief, if Tithes had not been so fully and plentifully paid; and this charitable use of Tithes was a popular Argument to perswade them to pay Tithes exactly and freely. But still *St. Augustine* makes the Priest the receiver of Tithes, *Thou shalt give that* (saith he) *to the wicked Souldier which thou wilt not give to the Priest: yea both Selden and T. E. strive to conceal this, for where they break off—Pay the Poor their Tribute—*(there *St. Augustine* adds) *—and offer the Priest his Offering:* Besides, 'tis sure these Tithes were not principally intended as Alms, because *St. Augustine* admonishes the People to give Alms besides out of the Nine parts, *Let him pay his Tithes—*(there again *Selden* and *T. E.* break off, but it follows) *—and out of the Nine parts let him take care to give Alms to the Poor.* *Aug. ibid.* 'Tis they therefore who

are guilty of concealing, and not I: But *T. E.* hath one peculiar Objection against this Sermon, viz. that the word [*Promereri*] which he Translates [*to Merit*] is found in it; which shews his gross ignorance of the Fathers stile, and the innocent sense they used such Phrases in: for St. *Augustine* in this very Sermon, saith, *Redde quia nasci meruisti*; Pay, because thou hast obtained the favour to be born. Not in the sense of [*Merising*] for how could a man *Merit* before he had a Being? yea, that bitter Papist *Stapylton* confesses, *That if any of the Ancients use the word [Promereri] they did not mean any more by it than bare obtaining.* *Stap. Sermon. Fer. 5. post Pasch.* So that St. *Augustine* means no more than that the Piety and Charity of Paying Tithes would procure a man a glorious Reward in Heaven, and being a good fruit of Repentance, a man might hope thereby to obtain a Pardon of his former Covetousness, since now he did so really testifie his Repenting thereof. There is indeed a Mystery of Iniquity in *T. E.* but there is none at all in St. *Augustine's* Sermon, which is so illustrious and undeniable a Proof, that we may see the Enemies of Tithes do try all sorts of Tricks to escape the Force of it, but in despite of all, it remains a full and Authentick proof of the *Jus Divinum* of Tithes, and shews that was St. *Augustine's* Opinion also.

Pag. 172. The light now begins to startle  
 our Quaker, and when *Prosper* is brought  
 in, he cannot deny but giving Tithes began  
 to be frequent in his Daies : the Truth is so  
 plain in this Testimony that yielding the  
 matter of Fact, he seeks about for some dirt  
 to throw in the Authors Face. To *Perkins*  
 he goes, and in his 69 Page ( for we can  
 trace our Retailer ) he finds *Prosper* cited as  
 saying, *Orationibus Sanctorum me expiari ab*  
*omni Peccato posse confido* : and hence he charges  
 this Holy Father as corrupt, and one that  
 had departed from the Purity of the Gospel.  
 Which were it true in that one point, it doth  
 not follow but he might very faithfully re-  
 relate the usage of paying Tithes in his  
 Time. But indeed the charge is false, as  
 will appear by considering the occasion and  
 the words which *Prosper* did write. Know  
 then, that *Prosper* having collected a Book  
 out of the sayings of the Patriarchs, Pro-  
 phets, and Apostles, in his Rhetorical con-  
 clusion he saith, that since he was yet under  
 the Law of Sin, he hath offered up in the  
 Temple of God a Sacrifice of the Fat things  
 of the Patriarchs, Prophets, and Apostles  
 ( meaning the Sentences of his Book ) for  
 the Sin of his Soul, and the cleansing of his  
 whole man, *And I have Vowed* ( saith he )  
*a Confession and offered up a Burnt-Offering upon*  
*the Altar of a contrite Heart, not without the in-*  
*cense of the Prayers of all Saints* ( or holy men. )  
*Quibus me expiari, &c. By which I trust I*

may be expiated from all sin. in fin. libr. p. 182. Now (*Quibus*) takes in all, by observing the sayings of the Patriarchs, Prophets, and Apostles, by his Confession and Contrition of Heart and the Prayers of all Saints or Holy Men, he hopes to obtain his Pardon, and he seems not at all to mean it of the Saints departed, but of living Saints, for in the next Sentence but one he saith, *Let every one of my pious Readers pray for me.* Prosp. *ibid.* And his other works shew he was Orthodox in this point, and that it is a meer slander; for not to cite many, that one place may serve where he saith, *Every Prayer not made by Christ, not only cannot expiate Sin, but is it self a very sin.* Prosp. *exp. in Psal. 108. p. 616.* Prosper therefore was not corrupt in this Point, and he is a good witness, that Tithes were ordinarily paid in his time, which was a little after the end of the first four hundred years.

Pag. 173. Having now justified all my Quotations, and shewed the falshood and folly of all the Objections made against them, it will be very entertaining to the Reader to look over *T. E's* vain Triumph in this Page, who hath the pleasure of thinking he hath utterly confuted them all: But I am not concern'd for his Dreams; if those who are fit to judge in this matter, do believe I have fairly made it appear that the most pure and Primitive Fathers did hold that Tithes were due to the Gospel Ministers *Jure Divino*, and that they

they were paid upon that principle as well as the state of things would bear, from the time of *Irenaeus* and *Origen*, in most parts of the then Christian World; *Irenaeus*, *St. Ambrose*, *St. Hieron*, and *Prosper* witness this for the Western Church; *Origen*, *Cyprian*, *St. Augustine*, *Isidore*, and *Cassian* for the African; the Apostolical Canons, *St. Chrysostome*, and *Epiphanius* for the Eastern Church. And though these Fathers all did oppose Jewish Ceremonies, and *St. Hieron* particularly saies, *I pronounce openly and boldly that Jewish Ceremonies are Pernicious and Deadly to Christians.* Hieron. Aug. Ep. 11. yet he and all the rest assert and plead for Tithes. Nor can our Adversaries bring one Father who did oppose this general Opinion, or reprove the practice as Jewish, or unlawful; none blamed the people for paying, or the Priests for receiving them, which shews it was the general and unanimous Opinion of the Church for the first four hundred years: and since they lived so near the Apostles time, and knew their Traditions better than we do, and were better able to give us the true sense of their Writings than any modern Interpreters; it is a mighty confirmation to all sober men, that this is the true sense of Scripture concerning this matter, and strongly justifies my Account in the last chapter. As for the following Ages the Confession of our Adversaries is enough to assure us, the Church varied not from this Opinion and Practice; but if it were needful I could deduce the History through every



Age, and after *Isidore, Cassian, and Prosper*, might be added *Cesarius Arelatensis*, (rightly placed by *Baronius, Ann. 502.*) who cites and approves *St. Augustine* his Opinion, and reckons Tithes to be assigned by God to the Church; *Hom. 2. de Eleem.* being frequent in his exhortations to pay them, *Hom. 14. &c. Ann. 630.* *Anriochus* a devout Preacher hath a Homily with this Title *Περὶ ἀναρχῶν* of First-Fruits; by which he (as other Greeks) mean Tithes; for in that Homily he largely proves that Tithes are now due by the Law of God, *Biblioth. Patr. Paris T. i. pag. 1224.* To him we might add, *Ann. 750. Bonifat. Mogunt. Ep. ad Cuthbert. Cant. and Ann. 828. Agobardus lib. de dispens. pag. 266. Ann. 840. Anastasius Ab. libr. comr. Jud. Bibl. Patr. T. 8. pag. 333. An. 849. Walafr. Strabo de reb. Eccles. cap. 27.* which extends itself to *Ethelwolfes* time, of which in its proper place. These and many more I could cite at large, but for brevities sake will here conclude the Testimony of private men concerning Primitive Opinion and Practice, which is now thus far made plain.

*Pag. 174, 175.* It hath been a usuall trick of all our Sectaries to stick the odious Names of Popery upon any thing they would expose unto publick Hatred, and that is one of *T. E's.* artifices with Tithes; which he often affirms had their Original from Popery; which slander is sufficiently confuted by these manifest proofs of the most early and Orthodox

dox Fathers, holding them due long before Popery came in. And though the Quaker dare not directly charge the Primitive Church with Popery so soon, yet ( by most wickedly perverting some passages of Mr. Perkins ) he throws dirt upon the purest Ages, and suggests they were not free from Popish Corruptions; and this, out of that very Book which Perkins writ to prove, that Popery was not Antient nor Universal (as I have noted in the Introduction ) but I shall briefly run over the particulars & shew how he abuses Mr. Perkins as well as those Times. First, T. E. saith. *About the year of Christ 200 (as early as Origen) Prayers, Offerings, and Sacrifices for the Dead began to be in use in the Church, and he cites Tertullian. lib. de cor. militis.* These are neither Perkins his word nor sense, but the Quakers own (though he saith he will not speak his own sense ) For Perkins saith, *There were no Prayers, Oblations, nor Sacrifices for the Dead before the year 200. Tertullian makes the first mention of them.* He doth not say they began to be used in the Church, about the year 200. yea within six lines he saith, *it was 400 years after Christ before the Antients thought it lawful to Pray for all the Dead; and then (he saith) they knew not whether those Prayers would do them any good or no, and that if the Antients said any thing to this purpose, to be sure they spoke not in the Popish Sense, pag. 97.* As for Tertullian he only mentions Oblations for the Dead, and never names Prayers at all; now Mr. Perkins saith, *Oblations for the Dead were*

not as first Sacrifices of Expiation, but Eucharistical only, pag. 101. And when he speaks of Prayers for the Dead he likewise saith, *They were at first only Praises and Thanksgivings in which the names of the Martyrs were read, pag. 99.* Finally Perkins concludes, *That Prayers for the Dead in the Popish Sense were not received by the Ancients.* And would any man but T. E. have pretended to speak Perkins his Sense, when Perkins denies the Church was so early corrupted with Popish Praying for the Dead? And the Quaker out of him affirms the contrary. Secondly, a like cheat he is guilty of in reference to Purgatory, as I have noted in the Introduction. Thirdly, He pretends also that Invocation of Saints crept into the Church much about the year 200. But Perkins saith expressly, *There can no Invocation of the Dead be shewed in the Church for 350. years after Christ, pag. 89.* But we have proved Tithes much Older than that; and note here that Perkins brings most of the Patrons of Tithes to confute this invocation of Saints, viz. Origen, Ambrose, Epiphanius, and Chrysostom, Hierom, and Augustine, pag. 90. So that it was a Superstition of the Vulgar, not an Opinion of the Church, nor are the flourishes of Poets or the Rhetorical Figures of Orators to be brought in for solid Arguments; so that Mr. Perkins confesses that, *the Worship of the Saints of which the Fathers generally spake, was not Religious Worship or Adoration, pag. 97.* So that it was not the Popish Worship of Saints.

Fourthly,

Fourthly, As for Reliques, Perkins is the very next words ( to those cited by T. E. viz. *This Veneration began 300. years after Christ* ) adds — *But the Church did not Worship them with Adoration or Genu-flection for 600. years,* pag. 83. Therefore he did not think the Church corrupted with this point of Popery so early as our Testimonies about Tithes. Fifthly, Perkins mentions Pilgrimages as beginning *Ann. 320.* but he saith also, that they were not undertaken then as a part of Divine Worship, but for confirmation of the Faith. He adds, *indeed afterwards it was changed into a part of Gods Worship;* but Perkins names no time, and T. E. adds of his own head, that this was about the end of that Century; whereas Perkins brings the sound Fathers of that time expressly reproving it in that Popish sense, and one *Hildebertus* also who lived *Ann. 1090.* So that Perkins did not think this Popish corruption so ancient as the Quaker pretends. Sixthly, Though Perkins (out of *Platina*) say *Chrism* was instituted by Pope *Sylvester*, *Ann. 330.* ( and I can prove the Primitive *Chrism* much elder ) yet he saith in the same Page, *The Chrism of the ancients differs from the Popish* *Uction* p. 184. And having reckoned up several Differences, he tells us *Hales* affirms, this Sacrament was not instituted till the Synod of *Atelna.* So that this is another slander. Seventhly, The Extreme *Uction* which *Innocent* decreed *Ann. 404.* was not the same with the Popish; for all men might use that,  
but

but none but a Priest make use of this, pag. 201. And there again *Perkins* shews the difference between the Primitive and the Popish Unction pag. 202. So that he did not believe the Church then was stained with this piece of Popery. Eighthly, That Monkish life which *Perkins* saith began *Ann.* 230. or rather *Ann.* 300. had none of the Habits or other usages of the Popish Monks, as he tells us pag. 226. and the Old Monks differed from the Popish in the Foundation of their Religion, p. 227. And he saith, The Monkish life now in use was condemned by the Antients, pag. 228. all which *T. E.* could not but see, and therefore he is wilfully dishonest in charging this Popish corruption on the Primitive Church, as if it were *Mr. Perkins* his Sense. Lastly, *Perkins* saith not that Calibate began to be preacht up by or before the year 300. But the Marriage of Priests was free before the year 300. And for the Decree he mentions as forbidding their Marriage *Ann.* 380. *Perkins* himself affirms the very Epistle, in which it is contained, to be a Forgery, pag. 33. Therefore he did not think this so early a Corruption as *T. E.* pretends. And now let the Reader judge of this Quakers Honesty, who hath searcht this Book of *Perkins* over and over, and so cannot well be supposed to falsify his plain sense so notoriously out of ignorance; for he must needs know that *Mr. Perkins* his whole design is to free the Primitive Fathers from these very Corruptions which *T. E.* (out of him) pretends to charge them with. What will  
this



this man stick at to serve an ill cause? But since his vile dealing is so palpable, and his Charge of Popery on these times (even in *Perkins* his Judgment who is apt to lay it too soon) is so very false; I conclude that Tithes were generally asserted and paid long before Popery came in.

s. 5. **P**Ag. 176. We should proceed to the Testimony of Councils, but that the Quaker for want of better Arguments and to fill up two or three pages, racks those words, *The earliest days of Christianity, and the first Christians*, to make them confess a contradiction of his own making, applying them to the Apostles times; though he well knew I was speaking of the Primitive Church in the Ages following; this had been designed Equivocation in one of the Carnal men, and no Cole black enough to mark it with. But I shall let it pass as one of the Symptomes of a sinking Cause, and put my assertion in other words, *viz.* That since I have proved Tithes were paid in the Primitive times, long before they were enjoined by any Humane Law Ecclesiastical or Civil; it follows that the Primitive Christians believed they were Obligated to pay them by the Law of God. To this *T. E.* objects p. 178. that they might pay them by virtue of Tradition, even as they made Oblations for the Dead (which *T. E.* falsely calls Praying and Sacrificing for the Dead) upon the account of Tradition only. I Answer, the Fathers do always carefully distin-

guish

gnish the usages grounded upon Tradition, from those grounded upon the Law of God; but neither *Tertullian*, nor any other who reckons up the usages grounded on Tradition, doth ever mention Tithes in those Catalogues, but on the contrary, they plainly cite Scripture as the ground on which Tithes were established, and expounded it so as to declare them due by the Law of God; which they never do in case of a Rite only grounded upon Tradition; so that we may conclude that the Christians of Old grounded their practice upon the same foundation that their Doctors grounded their Opinion, *viz.* upon the *Law of God*. But if Tithes were a Tradition, according to *St. Augustines* Rule cited in my 84<sup>th</sup> Page, they must be an Apostolical Tradition, because we have shewed they were universally paid; and yet (as we shall shew) they owed not their beginning to any Council. Now if the Apostles (who were guided by an infallible Spirit) did deliver it certainly that the Tenth was the proportion which Christ required should be given for his Ministers Maintenance under the Gospel; this tradition being an Establishment of so much of the Divine Law as concerned the proportion, is a declaration still of their being due *Jure Divino*. And no judicious man will question but an Apostolical Tradition delivered by word of mouth (supposing it be conveyed to us as certainly as a written Tradition) would be and is of equal Authority with what is delivered by writing; but this

this I speak only upon T. E's. Supposition that Tithes might be grounded upon some unwritten Tradition.

9. 6. **P**Ag. 179. I come now to the Testimonies of Councils, and First I produced those Canons which do not ordain Tithes shall be paid, but supposing them already paid, do direct the Distribution of them; and order other matters about them. And since the first Councils found them actually paid, and made no Law directly, for that the Primitive Christians paying them before any Humane Law enjoined them; we may conclude they were directed by some other Higher Law, that is they were guided unto this practice by the Law of God. And withall let it be noted, that the actual Payment of Tithes long before any Law of the Church prescribed it, doth abundantly prove that Opinion of the Jesuites and other Papists to be false, who hold Tithes to be merely of Ecclesiastical Institution. But to come to my proofs, those Primitive Canons stiled the *Apostolical* Canons (in questioning and mistaking of which T. E. hath so miserably shamed himself) which I have now proved the genuine products of the first three Centuries; these being written in Greek use (as I have shewed before) *Ἀραξαὶ* for Tithes, and do not only teach the People to carry those to the Bishops House, *Can. 4.* but declare that *the Bishop shall have power over these*

these Goods of the Church, and accordingly direct him how to distribute them so as still to reserve a liberal Maintenance for himself. *Can.* 38. and 41. And since *Irenæus*, *Origen*, and other Doctors, then taught that the Tenth was the least proportion in which these First-fruits were to be paid; we cannot suppose then less than a Tithes of all. And it is a great confirmation of the Apostolical Canons, in that a known and undoubted Council at *Gangra* *An.* 324. Ordains the same things in the case of these First-fruits or Tithes; *T. E.* indeed cannot find the name, but he may find the thing; for καρπορορίας ἐκκλησιαστικῆς which *Mr. Selden* (leaving out one of the words) oddly Translates *Offerings of Fruits*, whereas I judge it more proper to interpret it *Ecclesiastical Tribute of Fruits*. These are by that Council ordered to be given to and received by none but those of the Churches Ministers; and whoever did otherwise without the consent of the Bishop or his Curator, is declared accursed, *Can.* 7. And whoever dispenses them but the Bishop, is likewise there declared accursed *Can.* 8. Which is a full proof of frequent payment then, since the Bishop had a Curator on purpose to receive them, and also an evidence that they were paid in Kind out of the Fruits, and for the proportion the Fathers must be our guide, who had determined not less than a Tenth should be given; and doubtless in so pious an Age their Determination was sufficient to fix that part. And therefore we may interpret, the τὰ τῆς ἐκκλησιαστικῆς

as, things belonging to the Church, Concil. Antiochen. Ann. 341. Can. 24. to be meant of Tithes also; for in the next Canon these [*ἱερὰ καὶ ἐκκλησιαστικά*] things of the Church are more particularly described to be Rents of the Church (arising from dedicated Lands) and Fruits of the Fields (arising from Tithes) And these the Bishop is there ordered to take care rightly to dispense. Agreeable to this is that Canonical Epistle of Cyril Patriarch of Alexandria to Domnus, which (though T.E. ridiculouſly think it a private Letter) is a part of the Canon Law of the Eastern Church, and there also the things of the Church are distributed into Ecclesiastical Revenues and Tribute of Fruits; and in the same Epistle we read of Stores laid up, and immovable possessions, which are required to be preserved for the Church. Lastly we have directions again about First-fruits (the name often used for Tithes) in the 40 Canon of the African Code, see Bevereg. Tom. I. pag. 565. All these Canons though they name not Tithes, yet do shew a large provision was made for the Primitive Church; and that out of the Fruits of the Field, paid in kind to the Bishop for himself and his Clergy; and he that can think the proportion less than a Tithe, must also suppose the Primitive Christians worse than Jews, and must believe they gave little heed to what their Pastors taught them to be the Will and Mind of God: Which no man can do that knows any thing of the State of those Times.

But



But here I must note *T. E.* cunningly slips a most considerable censure which the Council of *Gangra* passeth upon the Ancestors of our Quakers, viz. The *Eustathian* Hereticks, Who ( as these do now ) forsook the Churches, met in Conventicles, and taught strange Doctrines there against the Church and its Rites and Habits, and finally pretending to be Saints, challenged to themselves the Ecclesiastical Tribute of Fruits, which ( saith the Council ) of old time were given to the Church: So that this Primitive Council condemns the Quakers Separation, and their detaining the Churches Dues, even though they did not receive the Ministry thereof ( which *T. E.* thinks to be so very unjust, pag. 108. &c.) And it shews that the Churches Maintenance was not Arbitrary, nor to be disposed as the Occupant pleased, and withal assures us that this certain Provision was given to the Church long before the Celebration of this Council, and that the Practice was of long standing, *An. 324.* which will reach as high as *Origen* at least. This therefore my Adversary conceals from his Quakers, who he hopes will never read my Book, and so never find out the Fraud of balking that which he cannot answer.

*Pag. 181.* It had been time enough for *T. E.* to have asked, why I produced no more Councils, when he had answered those I did produce, and the Arguments annexed to prove these Fruits were paid in the Proportion

on of a Tenth. Hath he said one word to prove they were paid in any other proportion? Or can he or any other bring one proof for any Opinion or Practice where any other proportion is named? When he shews as much to prove it was an Eighth or a Twelfth, then he shall have liberty to brag: but till then, it is an idle vaunt to muster up the Names of many other Councils, which the meanest Smatterer might do out of any pauntry Epitome: So that (whatever his Quakers think) this Retail of Names is no evidence of his Learning, especially since he hath mistaken the very Dates of many of them, as I could prove if need were (a). (a) Concil. And he speaks of the Council of *Elliberis* as holden under *Sylvester*, when it was celebrated in the time of *Marcellus*, ten years before *Sylvester* was Pope; nor was it holden under any Pope at all, but under *Hosius* Bishop of *Corduba*: but the Quaker speaks in the Phrase of the grossest Papists who impudently say, such Councils under such and such a Pope, if they happened in that Pope's time, even when that Pope never heard of the Council till it was past. Again, how absurdly doth he speak of the first General Council (as some calls it, saith *T. E.*) All good Christians surely call Council of *Nice*, a General Council, none but *Arrians* and their Spawn call it otherwise, which accursed Heresie the Quakers formerly held; and *An. 1659.* in a Publick Disputation at *Cambridge* (as many yet alive can witness) they

*I. Carthag.  
Bevergius  
ponit ad  
An. 258.  
T. E. An.  
236. Conc.  
Ancyran.  
Brev. An.  
315. T. E.  
An. 309.  
Concil.  
Naocæsar.  
Bever. An.  
315. T. E.  
An. 313.*

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## The Right of Tithes

they denied the Trinity of the Persons: But to let these pass, I assure *T. E.* I could have brought more proofs from some of those very Councils he mentions, as *Concil. Ancyran. Can. 15. Concil. Elliber. Can. 49.* but I supposed I had enow before. And he need not wonder, why no Council enjoyned the payment sooner, since, *The Law is not made for a Righteous man, 1 Tim. i. 9.* for *Good men need no Law, saith Socrates ap. Clem. Al. Strom. 4.* They paid them without any Human Law, and till that Piety and Zeal cooled, there was no need of such constraint: Councils were called not to order things that were right already, but to rectifie what was amiss; so that we cannot expect to meet with any Canons directly enjoyning Tithes, till the people began to neglect to pay them, and this very silence of Councils, as to Precept, argues all was right in that particular by vertue of God's Law.

s. 7. **P**Ag. 182. The Decree of that Roman Council, *An. 374.* which directly enjoyns payment of Tithes (though I laid not much stress upon it before) yet is found in those Acts of *Damasus*, which according to the Order of the Ancient Church were Read in the Publick Assembly, *Concil. 3. Carthag. Can. 12.* and is attested by *Baronius*, whom though *Selden* here disparages, pag. 43. yet when he speaks for his purpose he calls him *a Great and most Learned Cardinal*; and pre-

prefers his single witness before all those Ancient Authors cited in the Margent of his *Review*, p. 465. But whatever credit *Baronius* be of, considering *Damasus* lived with *St. Hierom*, and used him as an Oracle, it is not improbable that such a Decree might be made at *Rome* then, and perhaps by *St. Hierom's* advice. Other Councils I only cited in the Margent; viz. *Concil. Tarrac. Can. 8.* which speaks of an ancient Endowment of the Churches, of which the Bishop was by custom to have the third part. The first Council of *Orange* expressly names Tithes, besides Lands and the accessions of the Altar; i. e. Oblations: Mr. *Selden* indeed (whose business was to blunder all Antiquity that did not please him) pretends the word *Tithes*, is added out of *Ivo*, and if it were so, is not *Ivo* likely to have better Manuscripts of the *French* Councils than Mr. *Selden*? But he pretends that a Manuscript of *Ivo* (which he hath seen) wants this word, for which we must rely on Mr. *Selden's* integrity, who will evidently prevaricate when it serves his purpose, as our next Section will shew; however Mr. *Selden* scruples not to cite *Ivo's* Addition to this Canon (as he calls it) under the name of *Concil. 1. Aurel. pag. 82.* so that he measures the truth or falshood of his Authors by the service or disservice they do to him. Or otherwise, he would never pretend that it should be unlikely a Christian Council should name Tithes in an Age wherein, as himself confesses, they were generally

taught to be due, and paid also in many places.

Pag. 183. But the plainest Testimony is that of the Council of *Matifcon*, wherein *T. E.* only fights with Mr. *Selden's* weapons, and is able to examine my *English* only by his *Latine*, so that we shall set the Quaker aside in this enquiry as a meer Cipher, and vindicate this Testimony from the abuses and exceptions of *T. E's* great Master. And first, I charge him with notoriously misquoting the words of this Canon, which I will cite at large, and note the Omissions and alterations of which Mr. *Selden* is Guilty. *Concil. Matif. Can. 5.* *All other matters of the Holy Catholick Faith which we know have been corrupted by length of time, we ought to restore to their former Estate, for we shall be injurious to our selves, if either we do not correct, or (which is worse) do pass by in silence, that which we know belongs to the Dignity of our Order* [ this Preface *Selden* leaves wholly out ] *The Divine Laws therefore taking care of the Priests and Ministers of the Churches for their Inheritance have enjoined all the people to pay\* the Tithes of their Fruits to Holy places, that they being hindred by no labour may lawfully attend Spiritual Ministries* [ for illegitime, Mr. *Selden* reads —*per res illegitimas*, but the sense is much the same ] *Which Laws the whole Company of Christians have for a long time kept inviolate* [ here Mr. *Selden* omits the following Sentence ] *But now almost all Christians by little and little*  
appear



appear Prevaricators of those Laws, while they neglect to fulfill those things which are enjoined by God [ not a word of this in him. ]

Mr. Selden's Reading.

Wherefore we Decree that all the People bring in Ecclesiastical Tithes, which being bestowed either for the use of the Poor, or for the Redemption of Captives, the Priests by their Prayers may obtain Peace and safety to the People.

The true Reading.

Wherefore we appoint and Decree that the Ancient Custom be revived among the Faithful, and that all the People bring in the Tithes which serve to (Maintain) Ecclesiastical Worship, which the Priests laying out for the use of the Poor, and redemption of Captives, by their Prayers may obtain peace and safety to the People. And if any be contumacious to this our wholesome Order, he shall be for evermore Excommunicated from amongst the Members of the Church.

By this it appears that Mr. Selden either wilfully curtailed this Canon, or else cited it out of some Abbreviator, and that shews T. E's folly who goes about to correct a streight line by a crooked one, and mends my true Copy by an imperfect and false one. But for the Testimony it self, it doth wholly destroy both his and his Master's Hypothesis. For it makes payment of Tithes to be a matter

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of Religion anciently in use, and now beginning to be neglected, and therefore to be revived; it Asserts that Gods Laws had provided Tithes for Ministers of the Gospel, yea as an inheritance for them, to give them more leisure to attend their Offices; and that the Divine Laws enjoined all people to pay them. And further affirms, That all Christians had for a long time paid them in obedience to these Laws, and that those who neglected it were guilty of breaking God's Law, and therefore they renew the Injunction by adding this Canon to the precedent Divine Law; and advising the Priests to use them charitably, that their Prayers might be more successful, they conclude with a Sentence of Excommunication against the disobedient. And can any thing be more full for the *Jus Divinum*? Indeed the Tithe-Historian omits many of these passages which are clearest for the Divine Right, and labours with all imaginable Partiality to weaken the credit of the whole, but I hope to shew that his Objections will not effect his design: For whereas he Objects, *First*, That *Isidore* doth not mention this *French* Council, though he mentions others at *Orleanse*, *Arles*, and *Agatha*; I answer, that *Isidore* omits many others as well as this, and scarce mentions any one so late as this, for the Fifth Council of *Orleanse* was held several years before this of *Mascon*, and the last at *Arles* was *An. 524.* that of *Agatha* *An. 506.* so that *Isidore* might mention those which were before

fore his time, and yet not mention this, which (as some compute) was held but two years before he was made Bishop of *Sevil*. Being therefore so late, and called in a Province so remote; his silence of it is no wonder: Especially since *Gregory* Bishop of *Turon*, a credible Historian, who lived at the time of this Council, mentions it at large, *Histor. Franc. l. 8. c. 12. and c. 20.* and from him Mr. *Selden* learns that *Guntheran* and all the Bishops of his Kingdom were present at it. Secondly, Since most of the Compilers followed *Isidore* and one another; and none put out a compleat Collection of all Councils till *Fryar Crab*; what wonder is it, if he first put it in its due place? And the Compilers putting Canons of several Councils together under Titles without other method, omit many as well as this. Thirdly, He Objects, pag. 65. out of *Agobardus* that, *As to giving things, or Ordaining Churches, nothing is ever appointed in Synods, nothing Publickly Preached of Holy Fathers. For there was no need, a Religious Devotion being every where Fervent, and men being zealous of their own accord to illustrate Churches.* And Mr. *Selden* wonders how this can stand with the Authority of the Council at *Mascon*. I reply, That *Agobardus* by [Synods] there, means *General Councils*, as plainly appears, if we consider how he brings in this Sentence, *A man may know (saith he) what Councils have defined in this matter, if he will read and turn them over; but some will not receive the French*

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Canons, nor those of other Provinces, because the Popes and Emperours Legates were not present in those Councils. But he goes on to advise men to think reverently even of Provincial Councils. And where there are no Canons of greater Synods (*i. e.* general Councils) there he would have them consult the Statutes of the Ancients, and to prefer their sense before their own Fancies, in regard these Provincial Canons were made agreeable to Scripture, and the Acts of their Forefathers [and then comes in the above cited Sentence] So that *Agobardus* plainly confesses they had Provincial Canons in *France* (such as this of *Mascon*) for these things, and he thought they ought to sway with impartial men, though none of the General Councils had Decreed them, because there was a good reason for that Omission, *viz.* The Devotion of People while those General Councils were celebrated. And therefore *Agobardus*, take him altogether, confirms this very Council of *Mascon* rather than disproves it, and since Mr. *Selden* must needs know this, it appears he was extremely partial for his espoused Opinion, and studyed to make scruples which he knew were insignificant, and he is so conscious of this, that for all his Objections, he grants, *This Council is of some Credit*, p. 57. And p. 62. he reckons it among the known and certain Monuments of Truth. I am sure *Agobardus* himself, in this very Book cited by *Selden*, agrees with the Council of *Mascon* in this Point, and Asserts  
Tithes

Tithes to be due *Jure Divino*. As for that [ *long time of paying Tithes* ] which the Canon speaks of, Mr. *Selden* would have it look no higher than St. *Ambrose*, and St. *Augustine*; and if so, yet even that were fair evidence, since St. *Ambrose* lived within Fifty years after the peaceable settling of Christianity: But nothing is plainer than that this Canon hath respect to the time of *Irenaus*, who was Bishop of this very Province; and considering his Opinion and the Custom he mentions, we may conclude, the Council refers to the Practice of their own Province from *Irenaus* his time, rather than to think they looked abroad to two Foreign Bishops. Having thus answered Mr. *Selden*, T. E. can say little, but only that the [ *Divine Laws* ] mentioned in this Canon were *Mosaical* Laws: Very strange! Can any man in his Wits think the Fathers of this Council so absurd as to affirm the *Mosaical* Law took care of the Ministers and Priests of our Christian Churches? or that Christians were sinners, and to be Excommunicated for not observing Laws purely Ceremonial? To conclude therefore, they mean Laws of God now in Force and Obligatory to Christians; and do most strongly and clearly maintain the *Jus Divinum*; and withal this Canon is not to be looked on as an Evidence of Right and Payment for its own time only; because it relates the Opinion and Practice of many years, and long time before it, so that this is as good as a thousand witnesses. And for my part, I think



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think it so far from being worse for my Cause, that this first plain and undoubted Canon is so late as *An. 560. or 586.* (as Mr. *Selden* reckons) that I think it makes more strongly for me, especially since we are sure by this, That for above five hundred years after Christ, Tithes were believed to be due by God's Law, and paid meerly upon that principle; and when there was need of reviving a Statute to quicken their payment, this Council doth not barely Decree Tithes, but declare and strengthen the Divine Law, and ground their command upon it, and the long obedience paid thereunto. So that we cannot wish for any better witness.

*Pag. 186.* ] Another plain Evidence we have from the Council of *Hispalis, An. 590.* wherein Tithes are commanded to be rightly paid, and the payment of them is declared to be according to the Word of God, and agreeable to right Reason, and to detain them is accounted robbing of God himself, which shews they thought them Due *Jure Divino.* All that *T. E.* can say of his own to this is, *That they fetch their Opinion from the words of the Prophet:* To which I reply, They do indeed cite the words of *Malachy,* and in so doing, declare they did not think those words, as they enjoyn a Tenth part, had reference only to the Ceremonial Law, but were Obligatory to Christians. And doubtless all sober men believe that those sayings of the Prophets which contain Evangelical

lical Duties, as the Council thinks this of Tithes to be ( and those about the Sabbath, *Isa. lviii. 13. Ezek. xx. 20.* ) are in force still : But *T. E.* hath given fair hints, he would have all the Old Testament set aside, which wicked Opinion was long since condemned in *Marcion*, and other old Hereticks, whose vomit the Quakers commonly lick up, so that we are the less concerned for this poor Cavil. Having therefore little trust in this Answer, he steps back and puts on his Champion *Mr. Selden* to Question the Authority of this Canon, who Objects [ *That it is of much later time, and the first words of it are nothing but the Syllables of one of Charlemain's Laws.* ] Now this is a piece of designed Sophistry in *Mr. Selden*, on purpose to discredit a witness which he did not like, for he knew full well that these Laws of *Charlemain* are for the most part taken out of preceding Councils, and ancient Constitutions, being a Collection of old Decrees rather than a Body of new ones : For the Emperour in his Preface tells the Bishops, *He had made these Laws out of those Canonical Institutions which he thought most necessary for them.* *mihi p. 6.* And an old Historian assures us that, *Many of these Laws were the confirmation of what was Canonically agreed on by his Bishops in several Councils.* *Rhegino Ab. Prum. Chronic. An. 853.* Yea *Innocent* cites a Law made by *Theodosius*, and revived by *Charles the Great.* *Decretal. L. 2. Tit. 1. p. 113.* And they that have seen these Capitulars, know that many of them  
name

name those very Ancient Councils out of which they are taken, beginning in this manner, *The Synod of Nice, of Sardis, &c. saith—* and in the next Law, *Also out of the same Synod—* Moreover divers of these Laws are the Canons of Ancient Councils cited (as part of this of *Hispalis* is) without naming the Council: of which take here a few Examples [ *Capit. L. 1. c. 23.* is the sixth Canon of the fifth Council of *Orleance. ibid. cap. 133.* is the fifth Canon of the Council of *Nice. ibid. cap. 135.* is the fourth Canon of the Council of *Cavaillon* : So also that constitution (not of *Charles* the Great (as Mr. *Selden* mistakes, but) of his Son *Ludovicus*, L. 2. cap. 36. is the very Canon of the Council of *Arles*. ] And yet in none of these places is the Council named : And might not part of a Canon of the Council of *Sevil* be transcribed into the Capitulars, without naming the place whence it was taken, as a hundred other Canons are ? 'Tis strange a man of Learning should make so unjust a pretence. Secondly, He Objects that *Gratian* did not use these Canons, but *Burchard* and *Ivo* did, which is two for one ; *Bernardus non videt omnia* ; *Gratian* surely never saw all Canons, and 'tis likely not these, for if he he had, no doubt he would have cited them with as little scruple, as he doth other Canons of that Age expressly mentioning Tithes. *Concil. Cabail. ap. Grat. caus. 16. Ecclesie, &c.* Thirdly, He Objects, That the Canonists put in the word *Tithes*, where they

they did not find it: I reply, that the matter of Fact is not certain, but for the present, suppose it were; and if the Canonists do use the word [ *Decima* ] to express the Proportion of the Primitive Oblations, 'tis certain they do not speak too largely, for I have shewed that was the lowest measure; and therefore they give us the sense of these Councils, and withal their own Opinion that these profits of the Field were in the proportion of a Tenth, and whereas Mr. *Selden* accuses a whole Council at once as guilty of this fault. *Concil. Tribur. Can. 13, 14.* We take it as a great confirmation of our Opinion, inasmuch as a whole Council near eight hundred years ago translate τὰ ἐκκλησιαστικά by [ *Decimas* ] in reciting the fourth General Council, which shews that they ( who were far nearer the Primitive times than Mr. *Selden* ) did believe the Fruits then paid were in the proportion of a Tenth. But *T. E.* is mistaken in citing Fryar *Crab* to this purpose, for he is not speaking of Canons wrong Translated but falsely Dated. Fourthly, Mr. *Selden* brings *Agobardus* upon the Stage again as if he had said, *That no Synod before his time had ordained anything touching the Quantity to be given for maintaining of Churches.* But so bad a memory had this great Clerk, that herein he grossly contradicts himself, for he tells us that *Agobardus* lived about the year 900. And yet Mr. *Selden* himself cites a Council at *Arles* express for Tithes, *An. 813. Hist. Tithes, pag. 49.* And again, *Very frequent* (saith he)

he) are the Testimonies of old Councils of about the beginning of these 400 years (that is, from the year 800) in which Tithes are spoke of as Due generally by God's Ordinance. Hist. Tithes, p. 122. And doth he not in that Page again cite another Canon for Tithes of Divine Right, *An. 813*. And in his Margin there two more; one *Anno 646*. another *Concil. Ticin. Anno 850*. so that Mr. Selden baffles himself, and his very Learned and Judicious Bishop too, unless he be expounded of General Councils as we shewed before, and then these two Canons of *Mascon* and *Sevil* remain firm and Authentick, and Mr. Selden's Objections vanish. If it were further necessary I could now cite many more Genuine Canons for Tithes at large, made in most of the Provinces of *Europe*, shewing how generally they agreed from this Age downwards to confirm and re-inforce the Divine Laws for Tithes by fresh Ecclesiastical Constitutions: but since no Schollar will Question this, I shall only cite the names of some of them, and so pass on. *Concil. Foro-Jul. Can. 14. An. 791. Concil. Turon. Can. 46. An. 813. Concil. Aquens. Can. 18. An. 837. Concil. Meldens. Can. 42. An. 843*. with some of those mentioned in the 88 Page of my former Book. So that I conclude, Tithes were paid, as of Divine Right, before any Council prescribed them, and that when the decay of Devotion required the superadding of Ecclesiastical Canons, they declared the Divine Right, and confirmed it, so that we have sufficient Evidence,



dence, that the Councils, as well as particular Fathers, did Hold and Maintain Tithes were Due *Jure Divino*.

s. 8. **P**Ag. 190. We go on to the Laws of Kings and Emperours touching Tithes, and here this man of *some little Learning*, having no help from *Selden*, makes but one step forward, before he gets a shameful fall, ridiculously mistaking a real Gift of *Constantine's*, for that fabulous *Donation* which is exploded by all, as I noted in the Introduction: But as to the Gift I mentioned, besides the Authentick Histories that attest it, I can make it probable it was a kind of Tithes, for the Gift it self is called [*ἑτάσιμα σιτηρία*] yearly Measures of Corn, and the Governours of all Cities were commanded [*φιλοπνίει μᾶλλον ἢ χεῖρα πάντα μετερέσαι*] To give it to the Clergy in a Proportion rather suitable to their Dignity than their need. *Theodoret*. l. 1. cap. 11. So that if we consider this Rule, and the Doctrine of that Age not to give less than a Tenth however, and observe withal the Bounty of that pious Emperour, we can scarce suppose it less than a Tenth of what the Emperour's Officers received, and very like it might be more, for *Eusebius* saith that *Constantine* gave plentiful provisions out of his own Estate to the Churches of God. And again, with many dedicated things he cheerfully filled the Venerable Treasuries. *Vit. Constant.* l. 1. cap. 35. And elsewhere he

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he saith that, *He restored to the Church their Houses, Fields, Gardens, and all other things, that had been taken from them by the Persecutors.* L. 2. cap. 39. Now such an Emperour would doubtless in his Gifts come up at least to the proportion of a Tenth, and then this was a Donation of Tithes; and this Law was confirmed afterwards. *Theod.* lib. 4. cap. 4. and *Sozom.* lib. 6. cap. 3. *T. E.* here asks some ignorant Questions, which shew he understood but little of the state of those times, wherein the Bishops, who were then the Receivers of Tithes for the whole Clergy, lived usually in the Cities, and we have shewed out of the Fathers that the Country people brought in their Tithes to the Clergy, notwithstanding this gift of the Emperour, which was out of his own Imperial Revenue, and that shews he was far from thinking the Peoples Tithes too much for his Clergy. As for the other Laws I mentioned, 'tis true I brought not many, but *T. E.* hath not answered one of them, and (since Mr. *Selden* his Oracle doth not inspire him) he can say nothing at all to the purpose against them, yea he confesses he knows not so much as where to find them [at Second-hand perhaps he means] yet he will be meddling with matters he understands not. As for the First, he saies, *It is no Law, but a Declaration by Doctrine,* p. 192. But surely when Laws declare a thing ought not to be done, they do forbid the doing of it: And this Law declares that Tithes cannot be alienated from the Church,

Church, and consequently forbids Alienation and that for this Reason, because they are due by God's Law: But T. E. (who is a stranger to all former Ages) ventures to guess that this Prohibition speaks it of much later Date than I would have it pass for: wherein he betrays his gross ignorance, for even in *Constantine's* time *Eusebius* mentions a Law of his, *That the Exchequer it self might not retain any thing belonging to the Church.* Vit. Const. l. 2. c. 39. which is to the same sense with this Constitution, and that he may see this principle was much older, I must tell him that it was a Law of the Twelve Tables long before Christ's time, that *He who takes away or steals any thing Holy or Dedicated, let him be a Parricide;* and *Cicero* adds, *That it is established by the Common-Law of Nations, that no man may seize upon or enjoy that which is consecrated to the Worship of the Immortal Gods.* And if we call to mind what is before proved, viz. that Tithes were Consecrated among the Gentiles, it follows that the very Laws of *Rome* before Christianity, forbid the very same thing, which is forbidden by this Constitution of a Christian Emperor, and yet a Quaker wonders at it. Now having thus far vindicated this, I shall only cite the Authentick at large, which was barely quoted before, viz. *If a private man possess Tithes, either with or without a Title, no prescription of time can warrant him; for those things which by Law could not be entred upon rightly, can never by Tract of time be made*

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former: which is the same sort of Prohibition with the preceding Constitution, and both of them prove, the Law-makers then thought Tithes due *Jure Divino*, and till Popery and Atheism ushered in one another, Alienations were unheard of in the Christian World: But as for Civil Laws that concern Tithes I will here remark, *First*, That Tithes being believed to be due by God's Law, were thought in those Ages to be principally of Ecclesiastical Cognizance, and therefore the Laws for them are most frequent in Canons of Councils, and since the Devotion of Christians first, and then the Ecclesiastical Laws superadded, were enough to move all men to bring in Tithes; the great care of the Civil Law was only to secure the Church in the possession of them, and that is the very design of these two Laws. *Secondly*, Let it be noted that the Canons of Councils were always confirmed of old, by Imperial or Royal Authority, and so were of equal force with Civil Laws. Nor is the strict difference between Ecclesiastical and Civil Laws, so much to be insisted on in reference to those Ages. For whereas the first Canon of the fourth General Council, *Establisheth all Canons made by the Holy Fathers in every Synod held before that time*, The Civil Law Decrees, *That the Ecclesiastical Canons made by the four Councils shall have the force of Laws*. Novel. 131. c. 1. So that all the Canons of the old Councils were by *Justinian* made to have the force of Civil Laws. And for the Provincial Councils

Councils they were confirmed by their own Kings. Thus *Gumheran* confirmed the Canons of *Mascon* for his Kingdom, and *Reccaredus* confirmed those of *Sevil*, or *Hispalis* for his; which Story if *T. E.* be a stranger to, 'tis no wonder to me, who am assured under his own Hand that he is a stranger to all Antiquity. But nothing is clearer evidence of this than the Capitulars, which are the very Canons of Councils turned into Civil Law, by adding the Authority of the Western Emperour unto them; and innumerable of these Capitulars (which may be reckoned both Civil and Ecclesiastical Laws too) do strictly enjoyn Payment of Tithes as our very Adversaries confess: wherefore we have sufficiently evidenced, that the Civil Laws of Kings and Emperours did declare Tithes to be of Divine Right, and on that ground forbid the Alienation, and enjoyn the Payment of them: And since all those Proofs are left unanswered by *T. E.* I shall take these for good Witnesses till he prove the contrary.

*Pag. 194, 195.* When the Quaker is driven out of all other Holds, he hath one Refuge which he alwaies flies to, *viz.* Exclaiming against the persons and times that were favourable to Tithes, as being corrupted with Popery; this Song he Sings over and over, and one half of his Book is taken up with it. The times of *Charlemain* and *Ethelwolp* (he saith) were Popish, and themselves also; so was *Ina*, *Boniface*, the *Saxons*; and every



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one we mention; this dirt lies ready to fling when he wants other matter for reply: But that I may not leave the Question of Tithes at every turn, I shall here give one General Reply to all these impertinent and tedious Excursions of his, *viz.* *First*, Supposing the Times or Persons who were of our opinion in Point of Tithes, were in some other Opinions corrupted with Popery, it doth not follow from thence, That Tithes are Popish, unless those Times and Persons held no other Opinions but Popish Opinions, and *T.E.*'s so often repeated Argument might serve an *Arrian* to prove it Popish to hold that Jesus was the Eternal Son of God, for such an one might argue as *T.E.* doth, that Popery crept in betimes; and that those who held this Opinion were corrupted with many Superstitious Doctrines, and Practices, therefore ( in the Quakers Logick ) this of Christ's being very God, is a Popish Doctrine: How thin is this Fallacy? Would not any sober man deride this *Arrian* who to prove that Christ's Divinity was a Popish Doctrine, should only muster up a long Roll of Popish Doctrines and Practices held and done in the times, and by the persons who believed this Article of the Faith? Yet this is *T.E.*'s way of proving Tithes Popish. But *Secondly*, He must know there are many Opinions and Practices of Papists which are not Popery, *viz.* Praying to God, giving Alms, honouring Parents, keeping the Lord's Day, and ( which is our present subject ) paying of Tithes.

Tithes. And we shall here offer these Arguments to prove Tithes are no Popish Opinion or Practice. *First*, Because they were held, maintained, and paid in the Church long before it was corrupted with Popery, and by those very persons which condemn all the Opinions that are properly called Popish. *Secondly*, Because no Tithes are paid in *Italy*, the Pope's own Country, and the chief Seat of Popery. Sir *Edw. Sandys* his Survey of the State of Religion, pag. 157. *Thirdly*, Because they are paid in Protestant Countries, and particularly in the Church of *England*. *Fourthly*, The Pope and his Creatures have been, in Opinion and Practice, the greatest Enemies to Tithes, maintaining they are at best but of Ecclesiastical Institution, and denying they are due by God's Law, which opinion was first broached by a Popish Fryar, *Alex. ab Hales*, Par. 3. qu. 51. dist. 3. An. 1250. and is still maintained by most of the Jesuits, who agree with the Quakers in denying Tithes to be due by God's Law; and upon the same Popish Principle, the Pope hath given his consent to so many Exemptions, Alienations, Impropriations, &c. as seem to manifest he was far enough from our Opinion of the Divine Right of Tithes. *Fifthly*, Divers Protestants both at home and abroad do defend the Divine Right, and pay them regularly, and the Reformed Divines have Disputed against Papists and Fanaticks both in defence of them: So that supposing *Charles the Great*, *Ethelwolph*, and

others had been Popish in other points, yet as to Opinion and Practice of Tithes, they were contrary to the Pope, and most eminent Papists, and did agree with the Primitive Fathers, with old Councils, and with the present Protestant Church of *England*. *Thirdly*, He frequently brings in my Friend's Definition of Popery, and since he likes that so well, I will prove by that very Definition that Tithes are not Popery, which my Friend thus defines, *Popery is such Doctrines and Superstitious Practices, which by corruption of time have prevailed in the Church of Rome, contrary to the true ancient Catholick and Apostolick Church*. Now as for Tithes, they were never branded by any Orthodox Fathers as Superstitious, but asserted due by God's Law. Nor did they prevail by corruption of time, since they were required and paid before the times were corrupted; and in the grossest times of Popery, Tithes were rather diminished by Alienations, Exemptions, &c. then improved; Nor did this Opinion and Practice prevail in the Church of *Rome* at all, however not since the gross corruption of it, and when it did prevail, it was more prevalent in all other Churches than in that Church; and, as we have shewed, was entertained over all the Christian World. *Lastly*, Tithes are so far from being contrary to the true ancient Catholick and Apostolick Church, that it is now made plain it was all along the Doctrine and Practice of the True, Ancient, Catholick and Apostolick Church.

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Therefore Tithes are not Popish, and what ever other Opinions those Persons held, which gave or maintained Tithes, they were Orthodox, however in this Point. And thence it follows that all his large Quotations out of Mr. Fox to asperse Times and Persons with Popery, are nothing at all to the Question; and therefore (least we be tedious) they shall be lightly passed by, with brief reflexions on his most obvious mistakes.

§. 9. **P**Ag. 195. 196. I do not wonder the Quaker should call my citing Learned Authors [travelling forreign Countries] for the Reader may all along perceive they are *Terra Incognita* to him, a world which he never travelled in; but this his want of learning is accompanied with so much Self-conceit, that he charges me with wanting an occasion to brand him for Ignorance, when his whole Book is a perfect demonstration of his little skill in Learned Writers and Antiquity. Nor was it an improbable conjecture that a man of T. E's qualifications, might think *Ethelwolf* was the first Tith-giver in this Nation; however my Friend did advise the searching of Antiquaries and Church-Histories, implying that there any might find full satisfaction; but the Quaker (whose design was, not to be satisfied, and who aimed not at Truth in this dispute, but at serving a Party) He resolves to consult no Au-



thors of this kind, but runs upon *Ethelwolfs* Charter only. And now when I come to produce earlier proofs than that; he tells us plainly he will [wave them] and so indeed he doth, for he gives not one solid answer to them. When I produce the words of the great and Learned *Fleta*; *that Church-essel was a certain measure of Corn, which every one gave, &c.* He floutingly derides that Eminent Master of Law saying; *doubtless every one had not a Crop of Corn growing*; a poor evasion! since it is enough to our purpose that *Fleta* assures us, every one who had Corn growing, paid a certain measure of it to the Church, as well before the *Saxons* time as after; for this proves that before the year 600 in the *Britons* time, the Clergy were not maintained by arbitrary Contributions, but a fixed and certain proportion of the Fruits of the Earth, paid in kind; and considering the declared Opinions of the Fathers for a Tenth part long before this, and the several interpretations which I produced out of the best *Glossaries*, of the word *Church-set*, or *Ciric-sceat*, viz. Tribute of the Church, Tribute of Corn, the Church-seed, and First-fruits, ( words often applied to Tithes ) it is probable enough the *Britons* might pay this in the proportion of a Tenth, and among the *Saxons* this appears to have been established under severe penalties by one of King *Ina's* Laws above 150 years before *Ethelwolf*; so that these proofs ought not to have been so slightly waved, as they are, by my Adversary



fary: Who since he cannot deny this certain fixed Maintenance settled by Law in the time of King *Ina*; flies to his old Art of branding *Ina* with Superstition, which, as I have shewed (if it were true) would not invalidate those acts of which were certainly pious, as all the world hath thought the Provisions for Gods Ministers to be. But indeed *T. E.* is mistaken in his charge, for what sober Protestant will say, 'tis Superstition to build a Chappel, and garnish it with Gold and Silver, and rich Ornaments? And how *Speed* can make it sense, that Holy Water was an Ornament, or that the Founder of the Chappel gave that, which the Priests use to consecrate and renew frequently, I do not understand; and neither *Speed* nor *T. E.* can prove that the *Saxons* used Images (in those daies) any otherwise than for Ornament, and that is no Superstition. As for *Ina* himself, *He was the great example of Valour, the Mirror of Prudence, and for Religion he had no Peer.* *Malsbur. de gest. Reg. Angl. pag. 7.* And for his going to *Rome* after he had piously resigned his Crown and renounced all worldly glory; it was because of the great number of Devout Persons which came then reported to live there; but *Henry of Humington* (who mentions this journey) saith nothing of his leading a Monkish life. *Hist. l. 4. pag. 194.* And *Malmsbury* flatly denies his taking upon him a religious habit saying, *Ibi amictu plebeio tectus, clam consenuit*; which implies he lived privately in the habit of an ordinary Lay-

Lay-man. Nor was *Rome* so idolatrous then as *T. E.* pretends, for the Councils then called there about that time, viz. *Ann. 725.* did only condemn those who defaced Images and broke them to pieces, but do not command any worship to be given to them, for that was not enjoined before the second Council of *Nice, Ann. 788.* above 50 years after *Ina's* death. Finally let it be observed that King *Ina* among those Laws for the Church-Maintenance made Laws also for the observation of the Lords day, c. 3. and against False-witness, *Cap. 12. ap. Spelm. Ann. 692.* with many others. And will any sober man think it is a sufficient confutation of those Laws, or a proof they are Popish and Superstitious, to bring in a list of other kind of Superstitions practised in that Age? Wherefore these proofs of a fixed Maintenance, established by Law and paid in kind, do yet remain in full force.

*Pag. 198. &c.* All the pretence is, that Tithes are not named in those instances, and though they are implied; and very probable the Maintenance was paid in that proportion, and *T. E.* doth not attempt to shew it was in any other proportion, yet because he requires the name, I gave him another example of Tithes expressly named as usually received here, within 20 years after King *Ina* resigned his Crown, and above 100 years before *Ethelwolfes* Charter; and this in an undoubted Epistle of our Countriman *Boniface*  
Bishop

Bishop of *Mentz*, to *Cuthbert* Arch-Bishop of *Canterbury*; and if this be not a good proof, then History and the most authentick Records prove nothing. But *T. E.* must seem to say somewhat, wherefore first he saies, *This is far from the earliest daies of Christianity*: I answer 'tis not very far from the earliest daies of the *Saxons* Christianity, and of them we are here speaking, for this Epistle being writ *Ann. 745.* was within little more than 100 years of the *Saxons* first conversion; and since *Boniface* speaks of it as a thing usually and ordinarily done then, 'tis likely they had paid Tithes from their first conversion. Nor need the Quaker ask, why there was nothing determined in the Council of *Clove-sho* about them? because that Council was called to reform those things only which *Boniface* in the Epistle had complained to be amiss; but this very Epistle confesses Tithes were then paid by the People, and constantly received by the Priests, so that there was no need of a Law to reform that which was well done already. Wherefore *T. E.* is driven to his last shift of falsely accusing *Boniface* of Popery, &c. Which accusations (were they never so true) do not at all hinder him from being a good Witness as to matter of Fact, nor do they blemish Tithes which were asserted by the Primitive Fathers many Ages before Popery came in. But Mr. *Fox* in his zeal against Popery doth a little mislead his blind follower *T. E.* in several particulars of this Accusation; for whereas he charges

charges him to be for maintaining *Superstitious Orders of lascivious Nuns, and other Religions*: 'Tis evident that none was more severe against lascivious Nuns, and other wanton persons among the Clergy than he, witness three of his Epistles still extant; his Epistle to King *Erhelbald*, ap. *Spelm. Concil.* pag. 232. to *Cuthbert*, *ibid.* pag. 241. and to Pope *Zachary*, ap. *Bin. Tom. 3. par. 1* pag. 362. And all Antient Historians describe him to have been a very Holy person, who had converted many Thousand *Frisons* from *Paganism*; and after he had enjoyed the Bishoprick of *Menix* 10 years, he freely resigned it, and went again to preach the Gospel to the rest of the *Frisons*, amongst whom he was at last Martyred, *Ann. 755*. Nor will any man believe this *Bonifacio* was the Author of that monstrous Doctrine, *that if the Pope live never so wickedly, no man may rebuke him*; because his Epistles yet extant do utterly confute it, for he boldly and smartly reproves the vices of *Rome* itself, in an Epistle to the Pope, *ad Zachar. ap. Bin. ut supra*. and he lays it down for a maxim, *That the Pope ought not to decree anything contrary to the Holy Canons*, *ibid.* pag. 362. And the same Pope *Zachary* complains that *Bonifacio* had reproved him for *Simony*, *vid. Bin. ut supra*, pag. 366. Finally *T. Es.* Author of *Fasciculus Temporum* calls him a Saint, and the Epitome of *Bede* registers him a Martyr, *Ann. 754*. and this is my witness for Tithes; to whose Testimony let me now add that practice of *Eadbert* Bishop



Bishop of *Lindisfarne*, and Successor to St. *Cuthbert*, who was consecrated (saith Sir *Hen. Savil*) *Ann.* 688. which was in the beginning of King *Ina's* Reign, and 50 years before the Epistle of *Boniface*; this *Eadbert* being (as a Clergy-man) not obliged to pay Tithes to the Church, did every year give the Tithe of his Cattel, Corn and Clothing also to the Poor, *Beda. Histor. l. 4. Cap. 29.* Which shews that Tithes were not unusual in *England* long before *Boniface* his time, since one of the Clergy who was not bound to give them to the Church, of voluntary Devotion gave them to the Poor.

*Pag. 200. Egberts Collection of Canons* is my next express Proof for Tithes by name paid before *Ethelwulf*, viz. *Ann.* 750, Out of these I produced 4 Canons plainly declaring Tithes were then paid and believed due *Jure Divino*. As for the 5 Canon, because it was long, and part of it was only to direct the Distribution of Tithes after the Clergy had received them (which was nothing to the present Question, *whether they were then paid to the Clergy or no?*) I did omit part of it and cited no more than related to that which I was to prove; and this *T.E.* exclaims against as a piece of Craft, but I assure him, I am glad he hath cited it at large, for now his Quakers may see that Tithes were certainly paid above 100 years before *Ethelwulf*; and that so fully and exactly, that there was enough to repair Churches, and relieve



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relieve the poor, as well as to maintain the Clergy out of them. And if those Impropriations, Exemptions; and Compositions (which the Pope long after brought in, and our most zealous haters of Popery continue among us) were removed, and Tithes now paid as fully as they were of Old; I doubt not the Clergy would be willing to divide them now, as they did in those Ages. But my Adversary (foreseeing this Answer rather confirms than disproves the payment) flies to his dear *Selden*, (whose help he hath long wanted) and out of him attempts to prove that some of these Canons were not made till *Egbert's* Death. But we shall find Mr. *Selden* and his retailer both mistaken in this matter. First, They object that *some whole Constitutions in this Collection occur in the same Syllables in the Capitulars of Charles the Great, particularly, Can. 25.* But I have shewed before, that Mr. *Selden* wilfully equivocates in this Objection, because he knew very well, that those Capitulars as well as these Constitutions were both collected out of preceding Councils; so that the Capitulars may very well cite the same words that *Egbert* had collected 50 years before, out of the same Council, and it cannot fairly be inferred that these Constitutions must needs be later than the Capitulars upon this account, it being more likely that the Emperour cited them out of *Egbert* at second hand. But as to the Canon mentioned in Mr. *Selden*, viz. the 25, it is none of those I quoted for Tithes,

so that if that Canon be in the Capitulars, yet none of those I cited are. And yet if they had been found there, they had not been less valid; because Mr. *Selden* gives like instances of the very same Syllables in later Councils taken out of those preceding. *Hist. of Tithes Chap. 6. §. p. 112. 113. and Chap. 8. §. 10. p. 221.* And those who have read the Councils know, that nothing is more usual. And 'tis no wonder that 25 Canon of *Egbert* is in the same words in the Capitulars, because both of them took it out of the Council of *Hispalis*, *Ann. 590.* But Mr *Selden* objects that before the Capitulars there was no Canonical Authority for dividing the Tithes (coram Testibus) before Witnesses; and therefore *Egbert* could not mention that 50 years before. To this I Answer, that the Council of *Antioch*, *Ann. 341.* Ordains that the Bishop shall make the Priests and Deacons acquainted with the goods of the Church. *Can. 4.* and that he shall not distribute them without their knowledge, *Can. 15.* *Galasius* also appoints the distribution to be made publickly before Witnesses. *Ann. 494. Decr. Ep. 9. Bin. T. 2. p. 1. p. 480.* Hence a Council held, *Ann. 541.* saith, the Bishop must distribute the Treasures of the Church in the presence of the Priests and Deacons, to the Members of the same Church, and to the Poor thereof, according to the Canonical Constitutions, *Concil. Arvern. ap. Bin. T. 2. p. 1. p. 32.* All which Canonical Authority was long before *Egbert's* time, so that he might very well take this passage out of Canons before

fore his Collections; and Mr. Selden was much overseen, to say there was no Canonical Authority for this before the time of Charles the Great. Having thus disproved these allegations in Confirmation of Egberts Collections, *Malmshury* will shew us that Egbert was well fitted for such a word, being a *Magazine* (saith my Author) of all *Liberal Arts*, and a great lover and Collector of Books; having set up a most noble Library at York, as *Alcuinus* witnesseth in an Epistle to Charles the Great; the words of which Epistle are, Give me (saith *Alcuinus*) Books of more exquisite Scholastical Learning, such as I have had in my own Country, by the Pious and Devout industry of my Master Egbert the Archbishop; and if it please your Excellence, I will send some of our Town, who may take all necessary things from thence; to bring into France the Flowers of Britain. *Malmshur. de gest. Pontif. l. 3. pag. 153.* which I cite at large to shew how rarely Egbert was qualified and furnished with Learning and Books for such a Collection; and since Egbert was Master to *Alcuinus*, who was the Tutor to Charles the great, and the man by whose advise he sat upon making the Capitulars; and *Alcuinus* advised the Emperor to send to Egberts Library for Books, it cannot be doubted but among other Books Charles got a Copy of Egberts Collections; and accordingly not only imitated that method in his Capitulars, but also transcribed some whole Canons thence *Verbatim*; and thence it follows, that the places in the Capitulars

particulars which are the same with these Constitutions, were taken out of *Egbert* by *Charles* the great, and not his Canons out of the Capitulars, by a later hand, as *Mr. Selden* did falsely suggest. So that these Canons also are good Evidence for Tithes in *England* above 100 years before *Echelwolf*.

[*Pag. 203. 204.*] The Canon of the Council of *Calcuth* which *Spelman* places, *Ann. 787.* is my next Authority; and *T. E.* cannot deny it to be a full proof of matter of Fact. Nor dares he positively question the Councils being genuine, because *Mr. Selden* (who makes the objections for him) supposes *Kenulph's* name came by the ignorance of the Transcriber, and saith, *that it cannot be suspected by any circumstance in the Subscriptions, which being so many, might have by chance saongot among them a character of fashood, had it not been genuine.* *Hist. Tithes, Chap. 8. §. 2.* So that it seems *Mr. Selden* tried to pick some hole in it, but was not able. And though he tells us also *ibid. §. 8.* *That the Syllables of this Council are in the Constitutions of Ode. Ann. 943.* That is nothing but what is very usual, viz. for later Constitutions to repeat the very words of elder Councils, when a fresh occasion makes it necessary to revive a precedent Canon. Wherefore *T. E.* will not insist on these doubtful pleas; but falls to his old Trade of Aspersing the Church that then was, with Popery; which is as little to the purpose as any of his former replies, because Tithes

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which are the matter of this Canon, were enjoyned and paid in the very Primitive Church. Suppose the Times were Popish in some things when this Council was held, yet that doth not invalidate all the Canons of it concerning things not Popish; for Example, *Can. 1. That the Nicene Creed be held, Can. 13. That Justice be duly administred, Can. 15. That incestuous Marriages be prohibited, Can. 19. That the reliicks of Paganism be abolished, &c.* T. E's. Arguments serve as well to prove these Canons Popish and invalid, as those about Tithes; and consequently his long harangues against those times in general are wholly impertinent, and do not weaken my proof at all. Yet I will make some remarks on his mistakes even in this his confident accusation. And *First*, the presence of Pope *Adrians* Legates doth not prove the English Church was then subject to *Rome*; for though the *Roman* Church was ready to assist *England* with Learned men, to counsel them in making Ecclesiastical Laws, yet *Malmsbury* tells us, these came not till *Offa* sent for them, upon occasion of a Quarrel between him and the then Bishop of *Canterbury*. And these two that came do confess that none such had ever come before from *Rome* into this Land since *Austins* time, viz. for near 200 years. Nor did these men appoint any thing by Authority, but only admonish our Bishops what they thought necessary to be done. *Epist. in proem. Spelm. p. 292.* and the Bishops also told them of some other



other faults, which they intended to amend. And after this consultation, the King appoints the day of the Council, and the matters were proposed to the King and Bishops and were agreed upon by Common Consent, and ratified by the King and Bishops Subscriptions, and not by the Legates, who never subscribed at all; but were only advisers of and witnesses to those Canons. Nor indeed were these Two properly called Legates, for *Eadmerus* (whom Mr. *Selden* hath printed) assures us, that *Guido* Bishop of *Vienna* was the first foreign Legate that ever came hither from *Rome*, and that was not till *Anselms* time. And the Historian saith, it struck all that heard into admiration, because it was never known in Britain before, that any but the Arch-Bishop of Canterbury should have the power to rule over them as Legates here, so that he went back as he came, not being received as a Legate by any, nor exercising that Office at all. *Eadm. edit. Seld. pag. 58.* And afterward when *John de Crema* as Legate presumed to sit above the Arch-Bishop in a Council, the English stomached it very much. *Gervas. Doro. Ann. 1125.* Indeed it was long before these Legates Subscribed our Canons, and when they did, their names were put in after our English Bishops, see Sir *Roger Twysdens* Hist. Vind. of the Reform. pag. 20. 'Tis true these two who were at this Council of *Calcuth* do stile *Adrian*, your Apostleship; but that argues no universal Headship, for *Selden* upon the aforesaid *Eadmerus* observes, that this

Title was given of old promiscuously to all Bishops, and there are very many instances of it in *Spelman's Glossary*, *Verb. Apostolici* p. 35. and *Causab. exercitat. in Baron. An. 32.* num. 5. p. 228, 229. where it may be seen how private Bishops received that Title very frequently. And for Pope *Adrian*, I shall only note that *Mr. Fox* hath taken his Character out of our fierce Country-man *Mr. Bale*, de Vit. *Rom. Pontif.* p. 93. a Book very full of gross mistakes, and neither doth *Platina* mention any such Book Writ by *Adrian* for Images; nor *Binius* mention any such Council of his to establish the Worship of them: But if it were true that *Adrian* were for Image-worship, that alone would prove the *English Church* was not subject to him, because it is certain that *Offa* and his Clergy Opposed, Condemned, and Writ against that Doctrine, *Spelm. Tom. 1. pag. 317, 318.* Nor was there any Canon made here for the Adoration of them for some hundreds of years after: see also *Dr. Stillingfleet's Defence of the Discourse of Idolatry, pag. 812, &c.* *T. E.* therefore is mistaken, and my Proof stands good.

§. 10. **P**Ag. 206. To these Testimonies I affirmed, might be added all those Charters of our Princes (of whom I am speaking) which from the beginning of Christianity (among the *Saxons*) did (in the general) confirm all the Liberties and Revenues of the Church, and that *T. E.* may see, it is his ignorance only that perswades him

him this is a flourish or a fallshood, I shall cite some of them. *First*, There is a Charter of *Ethelbert* their first Christian King, To secure the Possession of the Church, and the Bishops, and other Orders of the Clergy. *Spelm. Tom. 1. An. 610. p. 127.* which is also fully attested by Venerable *Bede. Hist. l. 2. c. 5. p. 62.* As also the Laws of King *Ina* mentioned before, *An. 692.* And the Laws and Charters of King *Wichred*, the first in a Council at *Beccanfield*, *An. 694.* against the Sacrilegious detaining the Churches Rights; another in a Council at *Berghamsted*, viz. *That the Church shall be free and enjoy its Rights and Revenues,* *An. 697.* to which may be added another Priviledge of that King, *An. 700. Spelm. Tom. 1. p. 198.* Now since by several proofs I have already made out, that Tithes were in that Age among the Rights and Revenues of the Church, it follows that all these are Laws to confirm Tithes, yet for brevity sake I omitted them before, contenting my self to begin with King *Ethelwald's* Charter, *An. 749.* ( and not 794. as it was falsely Printed before ) which Charter confirms to the Clergy, *Propriam libertatem, their proper or peculiar Liberty in the Fruits of the Woods and Fields, &c.* Now what Liberty could there be in these, peculiar and proper to the Clergy, but only Tithes, which that Age believed no Lay-man might enjoy? And for that weak Objection, that it speaks generally, not the Priests or Clergy only, but [the Servants of God] This is but a further confirmati-

on how little the Quaker knows the phrase of those times wherein the Clergy only were stiled [*famulos Dei* ] Vid. Concil. Cloves. Can. 29. An. 747. and *Spelm. Glossarium* Verb. Parliamentum, p. 450. and *Hist. of Tithes* by Mr. *Selden*, p. 215. Wherefore *Ingulphus* expressly saith that *Ethelbald* made this Charter to promote the Holy Church throughout his whole Kingdom, and for confirming the Ecclesiastical Liberties through his Dominions. *Ingulph.* edit. *Savil.* p. 486. And now he hath no shelter left but to accuse *Ethelbald* of Popery, the folly of which evasion is shewed before. And as to those phrases in the grant which *T. E.* so severely out of Mr. *Fox* remarks upon, I shall only observe, That *Ethelbald* had been a great Sinner, and being by some of the Clergy brought to repentance, he did these good Offices for the Instruments of his Conversion, in token of his sincere Reformation. And therefore in the Phrase of elder times, he is said to have done these things, *For the Love of his heavenly Country and the Redemption of his Soul; and that his Soul might hereby be freed from the Bond of Sin:* by which was intended no more, than that good works being the only true signs of unfeigned Repentance, and a lively Faith, and these two the certain procurers of Pardon, Grace and Glory, he did by good works seek an interest in Jesus Christ his Merits, and gave good evidence of such Faith and Repentance as would intitle him to Pardon and Redemption. And 'tis not probable *Ethelbald* thought

thought his Merits alone could deserve a heavenly Kingdom, since he confesses within two lines, that *God had given him his temporal Kingdom meerly of his Mercy and Clemency without any Merits of his own*, Ingulphus *ut supr.* But if this phrase prove *Ethelbald* a Papist, *T. E.* will find some Papists among his chief friends the Quakers, for divers of them deny Justification by Faith, and the imputed Righteousness of Christ; *Pen's Counterfeit Christian*, p. 106. *Whitehead's Nature of Christianity*, pag. 32, 33. And when it is objected to *G. Whitehead* there, that this was a Popish Opinion, He replies, *Wherein the Papists hold any Truth, though in unrighteousness, I must not therefore deny it*: so the Quaker. And if that be a good answer, then *T. E.* vainly takes pains to prove Tithe-givers, Papists, for if Papists hold a Truth (as I have proved the right of Tithes under the Gospel to be) that Quaker will not have us to deny it because Papists hold it. I only add, that it is most base and disingenuous in *T. E.* to reproach *Ethelbald* as a lewd and vicious person, to discredit his Donation, because he was become a Convert before he made this Charter, so that in the very Title it is said he did it, when he had repented of his former evil Life. The Jews were wont to say, *Upbraid not a Profelyte with his Fathers Deeds*, nor a Convert (say I) with his own former Actions. This is as foolish and impious as to have gone about to lessen *St. Paul* after his Conversion, with the Story of his Persecuting



and Blasphemy; but what will not *T.E.* do, to uphold a sinking Cause?

*Pag. 208.* The last of my Instances before *Ethelwolfe*, was that express Gift of Tithes by King *Offa*, An. 793. which my Adversary can neither deny nor disprove. But poorly seeks to discredit both the Gift and the Giver, and by Mr. *Fox's* help out of *Jorvalensis* (as he ought to call him) he tells us, the occasion of this Gift was a horrid Murder: An Objection which 'tis hard to say whether it favours more of folly or malice, for it was his Repentance and not his Sin that occasioned the Gift, as his own Historian testifies, *His Pride was brought down to so great Humility and Repentance* (saith he) *that he gave the Tithes of all that he had to the Holy Church*, *Brampton Histor.* *Jorval.* so that the giving Tithes was then esteemed an act pleasing to God, a good Fruit of Repentance, a sign of an humbled Soul, that was become sensible of its Duty to God. And his Murder was no more the cause of his giving Tithes, than *Zachens* his Injustice was of his Restitution, or *St. Paul* getting Letters to Persecute, of his Conversion and Zeal afterwards. And whereas *T.E.* thinks I cannot prove that *Offa*, and his Clergy, condemned Worshipping of Images, 'tis no great matter what he thinks, but I shall prove it presently to the satisfaction of competent Judges, and here only refer the Reader to an Authentick witness of it, *Rog. Hoved. Annal.*

nal. par. 1. An. 792. Well but *Offa* must needs be a Papist because he went to *Rome*: and I pray are all Papists that go to *Rome*? I am informed that some Quakers went thither not long since, and by the Pope's Special Order had Lodgings provided in the Hospital for Mad-men; were these also Papists? And if King *Offa* held communion with *Rome*, so do we with the Protestant Churches of *Germany*, *Holland*, *France*, &c. but yet we do not therefore hold all their Opinions, nor are we at all subject to them: So that King *Offa* cannot properly be called a Papist: and if he could, that doth not confute my Proposition, viz. *That Tithes* (which had been given and received long before Popery) were given and paid in this Nation long before King *Ethelwolve*; and this is the full Account of the Opinion and Practice concerning Tithes before this famous Charter: by which it appears that *Ethelwolve* in this General Settlement of them, did act agreeable to the sense of the best Fathers, and purest Times, and had the concurrent suffrages of Fathers and Councils, of Kings and Bishops Foreign and Domestick, from the Dares of *Inegus*, An. 170. down to his own time to justify this voluntary Donation, it having been the practice of the Church then for 700 years: And what could be done with greater evidence or fuller Authority?

§. II. **P**Ag. 211. I suppose the Reader will not account this clear deduction of the History of Tithes a far-fetcht compass, as *T. E.* doth, but a regular and direct proceeding to the Charter of King *Ethelwolfe*, who being the first Hereditary Monarch of all *England*, made the first general Grant for the whole Nation, and thereby confirmed the Right of Tithes, which by custom, and the bounty of faithful Christians, had obtained and were paid in several Provinces long before his time: And from hence I dated my Third Particular, *viz.* The *Voluntary Donation* of Tithes, which I proved by shewing that this Donation was made by the supreme Monarch in a General Council of all *England*, with the full and free consent of his Tributary Kings, his Bishops and other Clergy, his Nobles, and an infinite multitude of his People, so that the whole Nation joyned in this Voluntary Donation, and the general practice for many Ages hath declared the validity of this Gift, not only by observing it, but by the making frequent Laws almost in every King's Reign since to ratifie and confirm it, which brings in those positive Laws for Tithes, my Fourth Particular, and wonderfully strengthens the Voluntary Donation of them: Now this Universal consent at the making of this Charter, and the constant and renewed ratifications of it in every succeeding Age, I briefly shewed in five Pages to-

together, pag. 95, 96, 97, 98, and 99. And my voluminous Answerer (who brags in his Title Page, he hath removed both this Voluntary Donation, and the positive Laws for Tithes) slips all these Pages with two or three poor Cavils, giving no reply to all this full Evidence, but saith to avoid repetition he will not answer my inference from these proofs; but let it be observed, that if he had any thing to say, he is not so averse from repetition, as to forbear it on that account, for he can nauseously repeat one long Quotation three or four times over when he sees fit: So that I take it for granted he had nothing hereto reply, but these trifling Cavils. *First*, He asks *Whether this Donation were a Grant or a Confirmation?* I answer, it was both in several respects; a Grant with respect to the whole Kingdom, and the Authority of one supreme Monarch; and a Confirmation with respect to the Custom of single Provinces and the devout liberality of particular persons before. *Secondly*, When he should disprove the many confirmations of this Charter, and the renewed Laws for Tithes in every succeeding Age, he slips away and saies, *The Question is not how late Tithes were settled, but how early?* Whereas I had answered that Question of early settling of Tithes before, when I shewed the Primitive Practice; and the Question here was, whether they were Freely given in this Nation, and that Gift sufficiently confirmed by positive Laws in every Age since? And let the Reader

Reader judge if I have not made out this. *Thirdly*, He quarrels with a single passage of mine, *viz.* where I say that, *The benefit of this Donation hath been enjoyed for eight hundred years by them to whom the Donation was made.* And hence he hopes to brand the present Clergy of the Church of *England* with Popery. But alas, this will not stick, for the Donation was made to God and the Church, to the Clergy in General, without respect to a future distinction between Popish and Protestant, and he falsely supposes the Clergy then to be Popish; yet if they were so, the Donation was made to them as God's Ministers, and as such only I considered them. Now the benefit of this Donation hath been enjoyed by those whom the Supreme Authority allowed for such, for these eight hundred years, and though a Protestant and a Popish Priest differ in Opinion very much, yet the Office of Priest-hood is the same in both, and all Protestant Churches own this, in that they never re-ordained a Converted Popish Priest, because his Ordination is valid, though his Opinions were heretical or false. By the Priests then, that have been publicly allowed for God's Ministers, hath the benefit of this Donation been enjoyed for above eight hundred years, and as they are free Subjects of *England*, they cannot be deprived of this Right without their own consent.



§. 12. **P**Ag. 214. The silence of my Adversary to all this Evidence of matter of Fact is a plain confession that there was a *Voluntary Donation* of Tithes, and continually repeated positive Laws to secure them; which being not to be denied, the Quaker seeks other Evasions: And first for the Charter of *Ethelwolfe*, he Objects against the Author of it, the ends for which it was made, and the motives to it. *First*, He had said in his first Book, *That King Ethelwolfe the Author was a Papist*; and had cited a whole Page out of a late *English* Chronicler to prove it: To this Page I thought it enough to say in my former Book, That his holding some Opinions of the *Roman* Church, doth not prove him a Papist who doth not profess himself a member of that Church, nor own the Pope's Supremacy. And I did more slightly pass this enquiry, because it is nothing to my main Question; for *Ethelwolfe's* being a Papist (if he were granted to be such) would not invalidate his Donation of Tithes, unless *T. E.* can prove that a Papist cannot make a good deed of Gift, even of those things which Scripture, expounded by the Primitive Fathers, and very sound Protestants, saies he ought to give; and since Tithes are of that nature, the Donation of them by *Ethelwolfe* (were he as much a Papist as *T. E.* would make him) must be valid and good: wherefore all this tedious charge of Popery is improper-

pertinent to the Question, yet because he urges me to reply to it, I will briefly shew that the Quaker doth in many things falsely accuse him: For though it be not unlikely that *Egbert* might breed *Ethelwolfe* among the Monks of *Winchester*, in an Age where in Monasteries were the only places where Arts and Sciences could be learned, yet it is no waies probable, that the King's eldest Son should take upon him the Vow and Profession of a Monk. *Aserius* who knew *Ethelwolfe* very well, and in the life of *Alfred*, gives us an account of him, saies nothing of any such Vow, no, nor *William* of *Malmesbury* neither, though he highly extol his Piety; yea, this Historian saith, he was made one of the Generals of his Fathers Forces in the Eighth year of his Reign, *Anno* 807. and that he continued in that Capacity to subdue his Fathers Enemies till the 24. *An.* 823. *Henry* of *Huntingdon* also mentions him as General in that twenty fourth year of his Fathers Reign, pag. 197. and *Roger Hoveden* speaks of his being General in the fourteenth year. *Æthelwerd*, another old Writer, sets down the same in the year 823. and hath not a Syllable of his being bred a Clergy-man: Now considering his Father was exercised with continual Wars in the latter part of his Reign, it is not likely he should leave that employment for a Cloyster. And indeed all that I can find in any old Author of his being among the Clergy is, that *Malmesbury* saith, he was made a Sub-deacon by the consent

sent of Pope *Leo*, (who was chosen Pope, *An.* 796.) but then doubtless he was very young; and besides, *Malmesbury* mentions neither Vow nor Absolution, and good reason, because there was no Vow of single life required then of Sub-deacon, nor of many years after. The Canons of *Ælfricus* made, *An.* 1052. do not enjoin *Calibate* to any lower than Deacons, *Vid. Can.* 5. and *Can.* 16. *ap. Spelm. Tom.* 1. and the first Foreign Council that imposes it on Sub-deacons (as far as I have found) is that of *Mulsi*, *An.* 1090. *Can.* 2. *ap. Bin. T.* 3. p. 2. pag. 413. and the first *English* Council is that of *London*, *An.* 1102. *Can.* 7. *Spelm. T.* 2. pag. 22, 24. Nor indeed was a Sub-deacon of old accounted any Order of Clergy: And (which is most considerable) if *T. E.* could prove *Ethelwolfe* was a Monk of *Winchester* (which he cannot do) that will not evidence that he was under a Vow of single Life, for *Spelman* makes it out (past all exception) that the Monks of *Winchester* were not bound by any such Vow before King *Edgar's* time, who first brought in Regular Monks there from *Abingdon*, *An.* 967. that is above one hundred years after our *Ethelwolfe* was dead; nay *Spelman* further proves out of a Manuscript Chronicle, and other good Authority, that no Monks in *England* took this Vow to live single, but only those of *Glastenbury* and *Abingdon* till the year 966. So that the whole story of his Vow of single Life, and of the pretended Popes Absolution grounded thereon,

on, is a mere Legend of later lying Monks, too credulously received by some hasty modern Writers. And so also is that other Tale of his being Bishop of Winchester, since the best Authors do make Swithin the immediate Successor to Helmstan, and leave no room for the pretended Consecration of Ethelwolfe, Malmesbur. *de gest. Pontif. l. 2. p. 137. Fast. Savigian. An. 838. Godwin. de Praesul. Ang. pag. 262.* Again, the Peterpence were for many years a free Alms: and our Learned Writers do evidently make out they were no mark of the subjection of England to the Roman Church, *Spelm. Concil. Tom. 1. p. 312. Selden. not. ad Eadmer. pag. 164.* And for Ethelwolfe's private bounty to the Pope, it was not till after he had been at Rome, and found that Church miserably poor, and sadly oppressed by the Invasion of the Saracens, and in pure Compassion he sent three hundred Marks thither next year, and on his Death-bed desired that relief might be continued. Nor was it long after when Pope Stephen complains to the Emperour Basilus, that he had not wherewithal to buy Oyl for the Lamps of the Church, *Epist. Steph. ad Basil. ap. Bin. T. 3. p. 2. pag. 108.* Now this use of Lamps in the Church at Prayers was used ever since the Primitive Christians met in the night to serve God; and considering how dark all Churches in Italy are, they are not only a memorial of those times of Persecution, but are really necessary to be used there. So that if Ethelwolfe

*wolfe* pitied the oppression and poverty of so famous a Church, and sent some Alms thither to maintain the Clergy, or the service of God there; this no more argues his subjection to them, than our relieving the Protestants of *Piedmont* or the *Greek* Churches now proves we are subject to them. Indeed *Ethelwolfe* was a pious and bountiful Prince, and sent Gifts to the Monastery of *St. Denys* (as the Antiquary of that place records) and elsewhere, as well as to *Rome*: only because *Rome* was then the most famous place for Learning and Piety in the Western World, he went thither, and having been an eye-witness of their necessities, he was very charitable to that place. Finally his holding some Popish Opinions, will not prove him a Papist, since he owned no subjection to that Church, nor did acknowledge the Pope's Supremacy here, as I shewed before in my one hundredth Page, where I cited two late Learned Authors, worth *T. E's* perusal on this Subject, which he had best undertake to answer, when he hath a mind to dispute bare-fac'd for the Pope's Supremacy over *England*.

*Pag. 218, 219.* My Adversary in his Zeal to overthrow Tithes, doth not scruple to take the Jesuits part, and assert that as long ago as *Ethelwolfe's* time the Pope had a Supremacy over *England*, but he makes it out by such false and foolish *Mediums*, that he rather shews his good will to that Cause, than

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his ability to do it Service : For whereas he saith, Perkins acknowledges the Pope's Supremacy began manifestly in Boniface, An. 607. who obtained of Phocas, that the Church of Rome should be the head of all Churches; Perkins well knew this was nothing to England which was not under Phocas Dominion, nor could he give the Pope power over a Church, which was then no part of his Empire : and ( to T. E's perpetual shall ) the same Perkins ( in the same place he cites ) saith, *The people of Britain were not subject to the Pope's Authority in Ecclesiastical Causes for one thousand years after Christ* ; and further, *That Becket was the first who laboured to bring in this Subjection.* Perk. dem. Problem. p. 210. And now is not this egregious Dishonesty to cite an Author to prove an Opinion that he purposely disputes against, and in exprefs words denies ? We may here see an experiment of Quakers Truth. Again, his dabling only in modern Authors betrays him into a gross mistake, in saying, *That from Austin's coming hither for near one hundred years, seven following Archbishops of Canterbury successively were Italians and Foreigners* : When as 'tis evident that *Dens dedit* the sixth in Order, and Predecessor to *Theodorus*, was a *Saxon* born, and called *Fritbo* before his Consecration, *Godw. de præsul. pag. 59.* and *Bede* particularly saith he was one of the *West-Saxons*, *Hist. lib. 3. cap. 20.* And this *Fritbo* was chosen within fifty or sixty years after *Austin* ; nor was the promotion of Foreigners any mark of our subjection

jection to *Rome*, but it was merely because in a newly Converted Nation there could be none found fit for so high an Office, and St. Paul had forbid to choose a new Convert, 1 *Tim.* 3. 6. and so had the ancient Canons, *Can. Apostol.* 80. and *Cuncil. Nicæn. Can.* 2. it being a wonder there should be any *Saxon* found fit for the Arch-Bishoprick so early as *Frittho's* time. Thirdly, This unfortunate Quaker wounds himself with his own weapon, and spoils the cause he would defend, by instancing in the Quarrel between *Wilfred* and *Theodorus*, for *Malmesbury* (who relates that Story at large) makes it evident from that very History, that the Pope's Authority was then nothing regarded here; and because it is very material, we will out of that Historian give the true account of that Quarrel. They did not contend about Consecration (as *T. E.* thinks) since *Wilfred* was Consecrated by the Bishops of *France*, as *Austin* himself had been: But *Theodorus* would needs set up three new Bishopricks in *Wilfred's* Province, on pretence it was too large: *Wilfred* first complains of this injury at the King's Tribunal; and finding no redress, he applied himself to the Pope to get him to admonish *Theodorus* not to proceed. When the King heard of *Wilfred's* going to *Rome*, both he and his Courtiers openly derided him; and at his return with the Pope's Letters, King *Egfrid* was so far (saith my Author) from paying any reverence to the *Roman* See, That he Imprisoned *Wilfred*, seized

on all he had, and at length banished him. And at his second return from *Rome*, the same King despised the Popes request, thinking it against all reason to admit a man who had been twice condemned in a Council of all *England*, for any Bishops or Popes Letters, *Malmsbur. gest. Pontif. l. 3. pag. 149.* Nor did *Theodorus* regard the Popes Letters, but continued to prosecute *Wilfrid*, who lived in Exile, till *Theodorus* on his Death-bed moved (not by the Pope to whom he owed no subjection, but) by his own Conscience, procured his restauration. And *Malmsbury* notes that Pope *Agatho* who writ in *Wilfrids* behalf, calls this *Theodorus* His fellow Servant, and Fellow-Bishop, and put off his going to a Council till *Theodorus* should come. *ibid. l. 1. pag. 112.* The Arch-bishop of *Canterbury* therefore was then one of the Popes equals, and though he adviseth him as a Brother, he never commanded him as a Subject in that Age. And finally it was the Kings Authority and not the Pope that restored *Wilfrid*; so that this very History shews, the Kings of *England* were Supreme here, and *Vicarios Christi*, not the Popes of *Rome*; and the attempts of *T. E.* and the Jesuites to prove the contrary, are all in vain.

Pag. 219. &c. That long Catalogue of Popish Opinions reckoned up by the Quaker and laid to *Ethelwols* charge, is evidently false, for I have proved already in part and shall do more fully shortly, that the greater part of them were not so much as held at *Rome* it self in that Age. So that I do justly and on good grounds deny *Ethelwolf* to have been a Papist, and doubt not but it may be made out that *T. E.* and his Brethren hold as many Popish opinions as *Ethelwolf* did. But the main thing is still behind, and that is (supposing he had been a Papist) to prove that his being so, makes his Donation of Tithes void, since Tithes were and are believed due by those that are Papists; nor can this Donation spring from Popish Opinions properly so called, because then all Papists must give Tithes, and none but Papists, both which are notoriously false. But *T. E.* assigns the particular Opinion which was the cause of this Donation, viz. *The belief that this Gift would be a means to appease the Anger of God, obtain remission of Sins, and salvation of his Soul.* I answer, that the Primitive Christians and modern Protestants, did not and do not hold this Opinion in the Popish sense, and yet both gave Tithes, therefore this was no necessary cause of the Donation; nor indeed (as I have shewed) did *Ethelwolf* hold it in the sense of modern Papists, and as I have already explained it, 'twas no erroneous Opinion, that works of Piety are

fruits of that true Repentance which doth appease Gods Anger, and obtain remission and Salvation. Besides if this Opinion were one cause, there were many other more considerable causes than this, *The Justice and Piety of the Gift it self, the Authority and Examples which had been in the Ages before him, his desires of the Churches Prayers, his Love to God and his Service, the respect he bare to his Ministers, and the equity of freeing them from worldly care, that they might more quietly and comfortably attend on Divine Ministries.* There were other causes, and most of them mentioned in the Donation it self, but maliciously overlooked by the Quaker, whose misapplied Maxime, *Sublatâ causa tollitur effectus*, hath nothing to do in these moving causes which only in part incline rational Agents to Act. For if I have twenty Motives to one Act, 'tis possible one or two of them may be taken away, and yet the effect will follow. There were causes enow besides that Opinion, why *Erholmolf* should make this Donation; and no doubt he had made it upon the force of the other Motives, if this had been taken away before he acted; and therefore if T.E. could prove this Motive were taken away now, yet the Act remains good as long as any of the Motives do so; and after an Act be once done legally, freely and firmly, it stands good though all the Motives should cease.



Pag. 222.] His distinction between the Acts of Papists in their Civil and Religious Capacity, between what they did as Christians, and what as Men, is also very frivolous. I will not urge him with that gross contradiction of saying here, *The Saxon Papists acts as Christians*, and yet pag. 302. he says, *Christianity was extinguished among the Saxons soon after Austins coming*; and pag. 215. *That Ethelwolfs Opinions were not consistent with Christianity*. Nor shall I improve that proportion which the Quaker here grants, viz. That men who give Tithes Act as Christians. But I shall tell him, he begs the Question, and supposes the *Saxons* of that Age were Papists, which he cannot prove, and I have shewed the contrary. But suppose they had been Papists, was not this Law made in a *Miscle-gemot*, or as other Civil Laws were? Did not the King confirm it as a King, and the Nobles consent as Nobles, and so for the rest of the Assembly? If the King only made it as a Christian, then one of the People might have made it as well as he, for they were as much, and perhaps some of them as good Christians as he. Besides even those Laws which they made concerning Religion were made by them in their Civil Capacity, for they subscribe to them by their Civil Titles; and if it would vacate their Laws and Donations meerly because made by Papists, (as *T. E.* fancies) in their Religious Capacity, then all Laws and Donations made by Papists concerning Religion would

be void; and if so, our Protestant Princes and Parliaments have been needlessly busy in revoking several of the Popish Laws; the Quaker will tell them they were void of themselves, and needed no repeal. But he must excuse us if we judge our Parliaments wiser than he; and they thought even Laws made by Papists to establish the worst of Popery were valid without a Repeal. But as to this Law for Tithes it was no Law for any thing Popish, and concerned Religion in general, not Popery in particular; since they are as futable Maintenance for Protestant Ministers as any other; this Law therefore (being confirmed since the Reformation and never repealed) must be valid still. And if all Papist Laws concerning Religion (even where Popish Religion is not particularly concerned) were void, then all the Laws of our Ancestors, for keeping the Lords day, for preaching the Gospel, for punishing Perjury, Incest, &c. would all be void also; yea and *Magna Charta* too, which is a Law concerning Religion in many parts of it, and was made upon this motive also (among others) *for the Salvation of King Henries Soul, and the Souls of his Predecessors*; yet T. E. dare not say this is void, no nor their Donations of Schools, Hospitals, &c. though given perhaps in their Religious Capacity, upon the same motives which he saith inclined *Ethelwolf* to give Tithes, and with intent (at last) to merit Salvation by them; yet even these do all stand good, to this day, and therefore  
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so ought Tithes also though they had been given with all the ill circumstances that *T. E.* rakes up against them.

§. 13. **P**Ag. 223. The next objection is concerning the persons to whom Tithes were given, which the Quaker affirmed was a Popish Clergy, but I shewed they were given to the Church of *England*, which had then a Patriarch of its own, and was a Church of itself in those daies, neither holding all the Opinions of *Rome*, nor yet professing any obedience to the Pope till near 300 years after, and therefore the English Clergy then, were no Popish Clergy. In answering this, *T. E.* only discovers his ignorance and dishonesty; for he asks, *First*, if Queen *Maries* Clergy were not English and Popish too? I reply they professed obedience to the Pope, and owned his Supremacy, and held all the Opinions of *Rome*, and so were a Popish Clergy; but doth it follow from thence that *Ethelwolfs* Clergy who agreed with them in none of these particulars, were Popish also? *Secondly*, He idly enquires, who was the English Patriarch of old? Surely he ought to know that our Arch-Bishop of *Canterbury* of old had the Title and Jurisdiction too of Patriarch; they were accounted and named *Patriarchs*, saith *Gervas. Dorob.* and their See was called the *Chair of the English Patriarchate*, *Eadmer. l. 5. pag. 113. Vide item Contin. Florint. Wigorn. pag. 313. and Sir Roger Twysf. Histor.*

Histor. Vindication, pag. 18. If the Quaker had not been a meer stranger to all our old Historians, he would not so ignorantly ask, what Legend I had this Fable out of? His Inspiration we see doth not teach him all things. And the History of *Wilfrid* related but now, fully proves that the Pope had no Patriarchal Jurisdiction here. Thirdly, As for the Council of *Nice*, it reckoned the Bishop of *Rome* among the four great Patriarchs, but doth not give him any power over those who were not at that time subject to him, and it is certain the British Church almost 300 years after, professed they owed no subjection to the Bishop of *Rome*, nor had they ever paid any; and the Council of *Ephesus*, Ann. 431. had prohibited Patriarchs enlarging their bounds, or bringing any Churches under their Subjection, which had not formerly been under them; so that our Protestant Authors prove, that the Pope broke those Canons of general Councils, when in the after Ages he did usurp a Power over *Britain*, see *Bastre* Libert. of *Britan* Churches, and *Hammond* of *Schism*. pag. 50. But the Quaker wickedly abuses *Perkins* in citing him to justify Pope *Gregories* Patriarchal power over *England*, for his words are, *The Pope had not power to make Laws or to dispense with them out of his own Province for 600 years. Gregory dispensed with the English about prohibited degrees; but he did this as a Patriarch, yea he did it by directive power, not by command or Authority.* Perk. pag. 204. Where we see he denies

nies the Pope did this by vertue of his Authority, and though he saith he was a Patriarch, yet he doth not say he did it as their Patriarch; and the design of *Perkins* there is plainly to shew it was Counsel not Command he gave them; yet this will serve *T. E.* to make his Quakers believe the English Clergy were subject to the Pope then. *Fourthly*, He confesses he knows not what I mean by their being *a Church of themselves*; and the reason is because he knows nothing of the Primitive times nor phrases, for of old some National Churches were not under any one of the Patriarchs, but divers had *τὴν αὐτοκρατίαν* a Head of their own, and depended on no foreign Bishop or Patriarch: so was *Cyprus* in an ancient Council judged to be, and so was *Britain* then accounted, see *Hist. of Schism. pag. 63. Beveregij* not. ad 6. *Can. Concil. Nican. pag. 58.* So that still the Church of *England* to which Tithes were given, was not then subject to the Church of *Rome*; and as I have proved their King was not a Papist, so by the same Arguments they are cleared of that accusation; and since the Quaker doth but repeat his former baffled calumnies, I shall not enlarge my Answer by imitating him in repeating my replies. Only to his new instance of the Abbot of *St. Albans* being subject only to the Pope, which he quotes out of *Cambden*, I must tell him that *Cambden* doth not relate at what time this Exemption was granted, and *Mr. Selden* thinks the custom had not been long in *England* before the year



1071. not. ad Eadmer pag. 206. see also Sir Roger Twysdens Hist. vind. pag. 39. and *Math. Paris* ( a Monk of St. Alban himself ) saith, that this Abby was free from all subjection to the Pope from its first Foundation. *Vit. Abbat. St. Alban. pag. 132.* And he assures us that Abbot *John* in the year 1235. was the first who took an Oath of Subjection to the Pope, and ( saies my Author ) *He was the first who submitted to the Yoke of Roman Slavery, and that very unwillingly and with a grievèd mind, Id. ibid.* Now this was almost 400 years after *Ethelwolf*. And since *T. E.* hath made it appear he dare say any thing be it never so false, we have little reason to believe the Clergy in *Ethelwolf's* daies were Popish, because he dares to say they were; and I shall presently have an opportunity to vindicate not only the Clergy, but that whole Age, from a great part of the charge of Popery, which the Quaker brings against them.

Pag. 227. But indeed all this is impertinent to the Question, since if they had been Papists, the Donation had not been invalid, for that was made to God, and Tithes were given to maintain his Service; now what is given to Pious and Charitable uses is not to be taken away because the persons enjoying it hold wrong Opinions, for if so, then all the Hospitals founded in times of Popery, and given to Popish poor Men and Women, would be *ipso facto* to be taken away; which  
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is a most false and wicked principle: And if the Donations to Hospitals and to Popish Poor be valid, so is the donation of Tithes to a Popish Clergy; the persons must be reformed, but what is once given to God may not be recalled. *Ananias* and *Saphira* were strook dead for revoking part of that which they themselves had but intentionally dedicated, *Acts* v. 1. 2. &c. Much less can any man excuse those who have taken Parochial Tithes thus dedicated by others from the guilt of Sacrilege. But at present let it be considered these were the only publick Ministers of God in that Age; these prayed for the People, preached and administered the Holy Sacraments unto them, and since they were to reward their Teachers with a part of all their Goods, *Galat.* vi. 9. were they not bound to give to these? And had they not Primitive practice and innumerable examples to incline them to give the Tenth part? Let the Quaker tell us what other Teachers they had, and if there were any Errors afterward crept in among these, those Errors are to be rectified, and the Teachers reformed; but the Gift being perpetual and intended for such as taught the people by publick Authority, so long as there are such Teachers, the Gift is not to be taken away; much less when the Teachers have renounced all those Popish Errors which are the ground of *T.E*'s scruple. Nor do I doubt to affirm but if the Turks were converted to Christianity, a Council of Christians would certainly decree that

that those Tithes which the Turks now strictly pay to their Mahometan Priests, ought to be continued for the Maintenance of their Priests when they were turned Christians. The Scripture, Fathers, Councils and all Antiquity assure us that Tithes ought to be given to the Christian Ministers, and they were given to them by our Ancestors for perpetuity; and therefore as long as there are Christian Ministers they will be due. And as the faults of the Jewish Priests in Opinion and Practice did not forfeit their Right to Tithes; so neither did the Popery of latter Clergy forfeit their Right, and whereas *T. E.* saith the Jewish Clergy were Ordained by God, and so were not *Ethelwols*; I reply, the Jewish Clergy when so corrupted were Ordained by men succeeding those whom God at first Ordained, and so were *Ethelwols*'s Clergy too; both their Ordinations were mediate and humane, and by succession; but 'tis more evident that the Jewish Priests were more corrupted than the Saxon, and therefore if they retained their Right to Tithes, much more did these retain theirs; and however they cannot forfeit our Right who solemnly renounce all Popish Doctrines when we are invested with Tithes. But perhaps one case may clear this whole matter: Suppose *T. E.* be seized of some Lands discharged of Tithes by reason these Lands were formerly belonging to the *Cistercian* Order; no doubt he believes his Exemption to be good and valid, and yet it is certain that this dis-

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Discharge was a Grant made to a Popish Clergy, who were then Owners of these Lands, and even those who seem most zealous against Popery, do plead these Grants in bar to all demands of Tithes; now if a Grant to a Popish Clergy to exempt from Tithes be valid, and no less valid because formerly made to a Popish Clergy, especially now the Lands are enjoyed by those who are no profest Papists; then a Grant to confirm Tithes to a Popish Clergy is valid, and no less valid because formerly made to such a Clergy since now the Tithes are enjoyed by professed Protestants; and the Quakers Arguments to destroy the Donation of Tithes, effectually destroy all these exemptions.

§. 14. **P**Ag. 233. His Third Objection is, that this Donation was made upon Evil Motives, and one of his instances is, that they gave them for the good of their Souls. And when I justly reprov'd him for calling this an Evil Motive, he thinks to wipe of the Nonsense thereof, by another saying equally absurd, viz. *That to be moved to do a good work simply, is not an Evil Motive*; if he mean by [simply] without any Motive at all, then it is all one as if he had said, where there is no Motive there is no Evil Motive; but if by [simply] he means meerly for the sake of the good work it self, that reaches not the Case, for *Ethelwols's* Motive (he confesses) was *for the good of his Soul*, and verily that

that was a good Motive, and none but he that is very simple would call it otherwise. But he cites the Historians who record the Charter, and saith they mention his doing it, *for the remission of our Sins*. And this he reckons to be an Evil Motive. I reply that there is great reason to suspect the later Monks put the phrase of their own times into this old Charter, because of the variety found among them in this very clause, for only *Ingulphus* and *Math. of Westminster* have it as the Quaker cites it, *Florence of Worcester*, (as *T. E.* confesses) hath *for the Redemption of his Soul and of his Ancestors*; but he is mistaken in saying *Hoveden* agrees with him, for *Hoveden* follows *Henry of Huntingdon*, and they both phrase it, *for the love of God and the Redemption of himself*. *Histor. Angl.* p. Bed. pag. 200. (a) and pag. 237. (b) And *Malmsbury* hath no more than this, *for the remission of his Soul*. Now it being so usual with later Monks to write of elder things in the phrase of their own times, and (as *Malmsbury* confesses, *lib. de gest. Reg. pag. 15.*) sometimes to put in their own words, 'tis very probable there might be no such words at all in *Ethelwulf's* Original Charter: but supposing there were some words of this import, we must interpret them by the Opinion of that Age; and men of greater Note and Learning too in matters of Divinity than either of those cited by *T. E.* do assure us, that the Doctrine of Merit in the present Popish sense was not held for divers Centuries after. I quoted an Archbishop  
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of Canterbury, and a Pope, *Anselm* and *Adrian*, together with *St. Bernard* (*de Tempore Serm.* 48.) and *Durandus* (*in Sem.* l. 2. dist. 28. qu. 1.) the one a Father, the other a School-man; and by these four I proved that Meriting Salvation by Good-works was not held for some hundred years after *Ethelwolf*. The Quaker replies, we must not regard so much the private Judgment of one or few particular persons, as what was the general Opinion of the then Church. And yet he cites no other but two late and private persons, viz. *Fox* and *Cambden*, and the latter not writing as a Divine, but barely relating things out of the old Monks as a Historian. Now I suppose *Anselm* and *Adrian*, *St. Bernard* and *Durandus*, are much more likely to declare what then was the Opinion of the Church, than two late Historians. But if this do not satisfy *T. E.* he may consult *Bishop Usher* in his Answer to the Jesuites challenge; where he will find it positively affirmed that the Popish Doctrine of Merits was not held in the Church for more than a Thousand years after Christ, and divers eminent Authors in every Century cited at large to prove that Assertion, *Ans. to Challenge* pag. 508. 509. &c. Or if he will sooner believe his so Celebrated *Mr. Perkins*, he tells us, that *Merit* properly taken for that which is of Desert, was not received by the Orthodox in the Church for 1000 years after Christ. *Dem. probl.* p. 106. And he spends divers pages to prove that among the Antients the word was never used in the Popish sense, pag. 107.

&c. And concerning the word. [Satisfaction] he saith, *in this manner Alms are said to be satisfaction, not that they are the price of our Sins before God, but the signs of a true and sincere Repentance, and according to this Opinion (saith he) the Antients speak.* id. ibid. pag. 170. And he proves further, that they believed Christ Merits only properly satisfied, but these good works being Signs of true Repentance, and real deprecations of pardon, crying as it were to God for mercy, did often prevail for Remission, and so were improperly called Satisfaction, because upon beholding them God did through Christ grant Remission, and declare himself no longer angry at the Penitent; to this purpose doth Mr. Perkins fairly Expound those Phrases, and clear the Character from the Quakers false aspersions of Popery. And this takes away the very subject of his Cavil, and shews Tithes were not given upon Evil Motives, but among the rest, upon this for one, that the Piety of a Gift so pleasing to God, might testify their true Repentance, and move the Almighty for *Jesus* sake to grant them Remission of their Sins, and deliverance from his Anger; and that they did take in the Merits and Satisfaction of Christ, and hope only by his Death to have their own good works accepted in order to a Pardon, may appear from *Florence of Worcester's* manner of relating it, who saith King *Ethelwulf* offered up his Tithes to the *Trin-une* God for a never ceasing Deed of gift, upon the Cross of Christ, for the redemption of his Soul

Soul, and of his Ancestors. ap. Selden. *Hist. Tishes.* pag. 205. Which words ( upon the Cross of Christ ) T. E. craftily left out, because they shew the innocent meaning of that Age.

Pag. 238. &c. As for his struggling to excuse himself and other Quakers from being more guilty of holding the Popish Doctrine of Merit, I shall only say, that T. E. is pleading in that 97 page of his first Book, for a state of freedom from Sin in this Life to be expected, and he gives this for the reason why there is no condemnation to them that are in Christ Jesus; because there is no sin committed by them, adding, *for where so ever there is Sin, there is also Condemnation*, which I think plainly shews he doth not think Christ's Merits or Death can save a Sinner from Condemnation, but it must be his own actual freedom from Sin that must save him. And I can name to him one Quaker who saith, *that true Religion may be without the knowledge and belief of the History of Christs Death.* G. Keith *Immed. Revel.* pag. 229. And another that saith, *the Righteousness by Faith ( which Saint Paul saith justifies us ) is when the Law is performed in us by the work of the Spirit* ——— and a little after ——— *Righteousness, Redemption and Salvation is received in Christ the the Light, through Obedience to the Light within.* Whitehead's *Nar. of Christianity* pag. 30. &c. And another saith, *It is the Devil that tells men, Christ died for all, and if they can but*

lay hold on him by Faith, he will not impute their Sins unto them, though they sin daily, &c. *Par-  
nell's Shield of Truth.* pag. 98. But let their Sense be what it will, I am not concerned further than to shew there is cause to fear some Quakers do more derogate from Christs Merits and Cross, than ever *Ethelwulf* or his Clergy did, whom *T. E.* cannot otherwise prove to be Papists, than by barely repeating his old basted Catalogues of Romish Opinions which he falsely ascribes to that Age. And we have now shewed the Motives were not Evil nor contrary to Protestant Principles on which they give Tithes; though (as I shewed before in my 108. page and 109.) if the Motives had been Evil, that had not made the Donation invalid, for then must all Schools and Hospitals, and all Grants and Charters (*Magna Charta* not excepted) be made void, if made in times of gross Popery; because in all probability they were led to make and grant them by Evil Motives. And besides I noted that Evil Motives only take off from the Givers reward in Heaven, not from the Validity of the Gift on Earth; and if no Gift were good but that which was given on good Motives (since no man knows the Heart) none can tell even of Protestant Gifts which were valid and which not, because none knows the true Motives leading the Giver to any Gift. *T. E.* was too much in haste to answer any of this; from his silence therefore, I conclude, that if the Motives were Evil, the Gift may be good and valid among Men.



s. 15. **P**Ag. 242. Having thus shewed the weakness of these objections, and how ill able my Adversary is, to make out his Charge of Popery; as also how little it would signify to the Question if he could have made it good: I must resolve to be very brief in my reply to his tedious harpings upon the same string, and desire the Reader to consider that these very *Saxons* did pay Tribute to their King, and give Alms to the Poor, did make Laws for Catechizing and Preaching, and for the Religious Consecrating of the Seventh part of their Time, as well as for the pious Dedication of the Tenth part of their Estates; and since their Superstitious Opinions and Practices (supposing them as gross as *T. E.* pretends) did not make those Good Acts become Evil or Invalid, no more would they do the giving of Tithes: So that I conceive my Question will be in the same state, whatever becomes of the *Saxons* Opinions in other matters. Yet that he may not too much insult; I will make some reflections on these *Sallies*. And first, it can no ways hurt the Donation of Tithes, that the receivers of them gratefully and voluntarily engaged to pray for their Benefactors. And the name of [Masses] which is used in *Malmsbury* and *Marlow* of *Westminster*, hath no such evil signification as the Quaker either out of Ignorance or Malice pretends; for that the saying two Masses cannot signify



the Offering up Christ's real body and saying over the whole Office, may appear in that it was then forbid by the Canons of the Church for any Priest to say more than one Mass in in one day. *Except. Egberti Can. 54.* and long after *Ethelwulf's* time Pope *Alexander* the Second affirms, that they who for Money presume to say more, cannot (in his Judgment) escape Damnation. *Alex. 2. Ann. 1061. ap. Bin. T. 1. pag. 64.* So that by two Masses here, we must understand two Prayers or two Collects; and for further confirmation of this Sense, the very Titles of these two Masses or Prayers are set down in *Malmsbury. viz. Deus, qui justificas, &c.* and *Pratende Domine,* the last of which Collects I have found at large, and shall set it down, to shew there is nothing either of Popery or Corruption in it, and 'tis this, *Stretch out, O Lord, to thy faithful Servants the Right Hand of thy Heavenly Aid, that they may seek Thee with their whole Heart, and that what things they justly ask, they may have grace to obtain through Jesus Christ our Lord. Sacr. Greg. pag. 385.* And that such single Prayers were then called Masses, may be seen in that Law of King *Ethelred*; which commands that one Mass be every day said for the King and his People, in the Morning-Mass, which is intituled, *Against the Pagans, Leg. Ethelr. Cap. 3. ap. Spelm. T. 1 pag. 531.* where the first name of Mass must signify a Prayer against the Pagans. And of this signification of a Mass for a Prayer, the learned Cardinal *Bona* gives divers instances, *rev. Liturg.*  
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l. 1. c. 2. §. 2. Yea Mr. Perkins also himself saith, *In the Council of Milevis, c. 12. Prayers and Masses are put for the same thing, and therefore (saith he) the name of [Mass] signified otherwise of old than it doth now.* Dem. prob. pag. 142. And that same Author in a large Disputation there proves, that the proper and real Sacrifice of Christ in the Mass, as it is a propitiation for quick and dead in the hands of the Priest, was not received in the Church for 1200 years after Christ. Idem. ib. pag. 136. &c. So that T. E. mistakes the Mark in all his long Harangue about the Roman Mass, and how corrupt soever that was, 'tis nothing to this matter; because these Priests only engaged to say two innocent Prayers for their Benefactors: Yet I will note that he is out, even in his Accounts of the Roman Mass also, for that Mass of Pope Gregory the Great (as the Learned know) differed extremely much from the modern Roman Offices, being free from innumerable of the Corruptions added to it in after Ages: And for that Council which he pretends at Rome enjoying it to be universally received; *Bini-* us remembers no such Council, and *Duran-* dus out of whom T. E. cites the story, mentions no Council, but only quotes the Legend of S. *Eugenius* for this relation: And 'tis well known the *Mosarabick* Liturgy was used in Spain for above 200 years after *Ethelwolfs* time, viz. till 1074. *Bon. rer. Liturg. Lib. 1. Cap. 7. pag. 350.* And it is as evident that Pope Gregory himself advised *Austin* not

to follow strictly the Roman Office, but to take what he found most fit in any Church, and prescribe it to the English Church, and particularly recommended to him the way of the *Gallican Church*, which then much differed from the Roman. *Spel. T. 1. pag. 96. Bonarier. Lit. pag. 350.* Nor is there any good Authority that *Austins* Liturgy was altered for that of *Gregory*, till *Osmund* Bishop of *Sarum*, who to remove that great variety of Prayers and Offices then every where abounding, reduced all to one form (taking the Roman *Missal* for his Pattern) which was called the Use of *Sarum*, *Kanulph. Polychr. l. 7. c. 3. Ann. 1077. Harpsfield Hist. Eccles. Ang. Sect. xi. c. 19. Spelm. Glossar. pag. 440.* And for that which *T. E.* calls the *Song of William of Fisham*, 'tis very likely it was not a different Office, but another way of singing it, divers from the Roman or Gregorian way of singing, for it will be hard to prove that *William of Fisham* ever composed a peculiar Mass; and if it were contrary to *Gregories* Mass, how came it to be used in *Normandy*, which was a part of *France*, where *T. E.* tells us *Charles the Great* had set up *Gregories* Mass? And if it be thus (for 'tis not worth my while to examine the History) then it is not unlikely that the Church of *England* before the Conquest might sing their own Liturgy in *Gregorie's* way of singing, However this is certain, that those Masses then, were far more pure than those of the present Roman Church; and whatever Superstitious

superstitious Conceits private Men might have, it is plain that Purgatory and Transubstantiation in the Popish Sense were not believed as Articles of Faith for many Ages after.

s. 16. **P**Ag. 248. Again he objects against the Charter, for the names of the Saints annexed to it; to which I replied, that from the great variety among the relators of this passage, it might be conjectured they had added this in the Phrase of their own times, a practice very usual; so *Ciacconius* in the Lives of the Popes calls *Laurentius* the second Arch-Bishop of *Canterbury*, *Ann.* 611. a Cardinal of the Roman Church, having the Title of *S. Sylvester*; whereas that dignity was not known in that Age, *Godwin. de presul. Ang. pag.* 53. so the old Manuscript of *Landasse* describes the British Bishops excommunicating their King with all the Superstitious Ceremonies of the later Roman Church, which were Customs then unheard of. *Spelm. Tom.* 1. *pag.* 64. &c. and *id. ibid. pag.* 386. where the learned *Spelman* affirms, that the Author of that Manuscript (who lived about the year 1100 or after) describes those oldest Excommunications after the manner of his own times, and further adds, that this is a frequent vice of divers Authors. *pag.* 238. And Mr. *Selden* will not allow a plain proof of Parish Churches endowed with Tithes among the Britons, *Ann.* 490. taken out of this very Manuscript, because



cause the Author ( he thinks ) spake of those things in the phrase of his own times. *Seld. Hist. Tithes. Chap. 9. pag. 250.* And why might not some of the Monks do in the same manner with *Ethelwold's* Charter? Especially *Mathew of Westminster*, who, contrary to all other Authors, puts the words [ *blessed Mary and all the Saints* ] into the body of the Charter; and the words that *T. E.* cites out of *Ingulphus*, are only the words of that Author and no part of the Charter, which he gives us intire; and when he hath concluded it, then he adds of his own, that this was offered up ——— for the Honour of Mary, &c. which was the Custom in Donations in *Ingulphus* time, but not in *Ethelwold's*, for the Donations of that Age which are faithfully set down, have no names of Saints at all: see the Charter of *Wichlafius Ann. 833. Spelm. T. I. pag. 346.* But as to the extent of *Ethelwold's* Charter, in which *T. E.* also saith there is a variety among the Relators, there the Major part, by far, agree that it was for all England. He endowed the whole Church of England, saith *Ingulfus*. Which he granted to all England, saith *Malmsbury. de gest. Reg. pag. 22.* and elsewhere, He gave the Tithes of all his Kingdom to God, *id. gest. Pontif. pag. 137.* The Tenth part of his Kingdom, saith *Mathew of Westminster*, and *Florence of Worcester*. The King set apart the Tithes of all his own possessions for Gods part, and appointed the like should be done in every Province of his Kingdom, *Ethelword. pag. 474.* And whereas

Henry



Henry of Huntingdon and Hoveden say, *He Tithed all his Land*; that may justly be expounded by the consent of other Historians, *all his Kingdom*. So that we may raise out the names of the Saints which are only modern Appendixes to the Grant, and yet not at all weaken the Foundation of the Charter it self, which all Historians deliver much to the same Sense. And yet if they had been so Superstitious, as to joyn the names of the Saints to the name of God in the very Charter it self, that would not invalidate the Grant of so Pious a thing as the purest Times and most Orthodox Fathers had declared Tithes to be. For indeed there were scarce any Charters ever made to Cities, Hospitals, Schools, &c. between *William* the Conqueror and *Henry* the Eighth, which had not the names of Saints so joyned with the name of God; yet no man in his Wits will say that therefore they are all void.

Pag. 250. My Friend and I both, have shewed that Scripture and Primitive Fathers had asserted the Right of Tithes, and it was the wisdom of the *Saxons* to act by the Direction of such Guides, wherefore it could be no blind zeal, nor doth my Friend (as the Quaker falsely suggests) say, that *this Donation proceeded from invincible Ignorance*, but only, that if there were any defects in the Charter (as perhaps there might be) we must not esteem him a damnable Idolater for doing a thing in an ill manner through invincible Ignorance. It was not the thing,  
but

but the ill manner of doing of it ( supposing it were done in such ill manner ) which he affirms proceeded from invincible Ignorance in *Ethelwolf*; and the Quaker doth apparently calumniate him, in that he strains his words to another Sense. As for the Ministry to whom the Donation was made, I have proved they had no dependance on *Rome*, nor were they a Popish Clergy; and *T. E.* is a notorious Falsifyer to say, *He hath proved by the Testimony of divers approved Authors that they were a Popish Priesthood*; for not one of his Authors saith any such word: They were Gods only publick Ministers in this Nation, and the lawful Teachers of that People who gave Tithes, and were not considered as to their private Opinions, but as to their Office. If these who bore this Office afterward by degrees fell to hold Corrupt Opinions, and at the Reformation the whole Order was amended and made to renounce those Opinions again; the Office remained the same all the while, and the now removed Corruptions must not be objected to those of this Age; and since there is still a publick Ministry, the Donation remains good to those who are in this Office at this very day; and by the way I must tell him that no Popish Priests that ever I heard of, were so properly the Ministers of Antichrist, as those Quaking Speakers, *Pen* and others, who expressly deny the Trinity, the Divinity of our Lord *Jesus*, and the expiation of Sin by his Death upon the Cross. If Saint *John*

be

be in the right, these are Antichrist indeed. *John* iv. 2. and *2 Ephesians* ver. 7.

§. 17. **P**Ag. 253. Here *T. E.* labours hard to excuse himself, from abusing my Friend in perverting his words, and from discovering his own folly in his nonsense about the Censers; but first let me observe, that he runs from the Matter to glean up sentences here and there, about the Intention of the Donors, whether that will sanctify a Gift to a false God; for that is not the Case of Tithes, as my friend states it, which he supposes given to the True God: and did not *T. E.* abuse him to extend his meaning to Gifts given to false Gods, and a false Ministry? It is no matter what his Opinion and mine are in case of Dedications to a false God or a false Ministry, for the enquiry here is, whether the Quaker did not wilfully pervert my Friends meaning in this place? And that is so evident, that whoever will compare the two Books will see that he hath done this. But as to that Query, viz. whether things Dedicated to an Evil Worship ought to be Alienated? The Quaker shall hear his own Doctors Opinion, *If they be given through Ignorance of the time to such unlawful purposes; they ought by the Princes to be converted to better and more Godly uses.* Willet. Synop. pag. 310. and pag. 311. he saith, *Tithes cannot be Alienated to any other use, or turned to the Maintenance of Laymen.*

For

For indeed he doth with us and with the Primitive Fathers believe, Tithes were dedicated to the true God for the Maintenance of his Gospel Ministry, and therefore no blemish in the ill manner of the Dedication can make them cease to belong to God and his Church. And the case of the Censers is so far parallel to this, that though they were Dedicated by men who committed a most heinous Sin in that Act which made them Holy, and the parties who Offered, designed (like our Quakers) to abolish the distinction which God had made between Priests and People, yea to overthrow the very Office it self, yet God would not allow these Censers Dedicated in so ill a manner to be Alienated. How much more then ought not Tithes to be alienated, which were Dedicated to uphold the Priesthood and the Service of God? And the worst that can be said of the manner of Offering them, was that the Offerors held some Superstitious Opinions. This is therefore a Parallel, and yet such an one as affords ground for an Argument, *a majori ad minus*; the cases differ in this, that the Dedication of the Censers was done in a worse manner than that of Tithes, yet both (as we are content to suppose at present) in an Evil manner; but the Censers may not be alienated; *Ergo*, much less may Tithes. And for the Quakers long Harangue about this, he poorly begs the Question all the way, and contrary to the Sense of the whole Catholick Church for 1500 years, supposes that Tithes ought



ought not to be Dedicated under the Gospel; and upon this basted mistake is all that heap of Tautologies built, which fill up his 258, 259, 260, and 261. pages. And since I have proved by Scripture, Reason and Authority, that Tithes ought to be Dedicated now, as well as Censers then; it follows, that Tithes may not be alienated now, no more than Censers then. And let it be noted, the Censers of those Sinners whose alienation God forbids, were not Dedicated by Gods Command, but only by a voluntary Act of the men who Offered with them; so that it seems, a voluntary Dedication of any thing to God, even though it were not grounded on any expresse command of God, makes the thing incapable of being employed to prophane uses afterward. If God have the Property, that Property must not be altered, they may be used to this or that Holy use as God directs, but the turning the Censers into another form, and using them to another (but still to a Holy) use, did not, as T. E. pretends, alter the Property at all, the non-sense of which expression he hath not yet cleared himself from. And for his vile suggestion that the Clergy got Tithes by fraud, 'tis notoriously false, for even in the Primitive Times, which cannot (without great impudence and dishonesty) be accused of Evil Acts, Tithes were frequently and freely given, and this Donation of *Ethelwolfs* was his own voluntary Act, with the full and free consent of all the Estates of his Kingdom,



dom, and it was confirmed in every Age after, having been all along believed by the Faithful, to be a Duty which God required of them. And if the Clergy of that Age did teach the Saxons from Scripture and Fathers, from Reason and Example, that it was so; they dealt most truly therein, and rightly informed them of the Opinion of the best Christians in this matter, and it had been fraud to have concealed this; but was no other than what truth and Conscience obliged them unto, to teach them that which was right in this Case.

§. 18. **Pag. 262.** Our Opinion concerning the unlawfulness of alienating Tithes, *T. E.* did endeavour to render odious, by telling the Impropriators that this concerned them, and that it followed from hence that it was unlawful for them to hold their Impropriations, and therefore he bids them look to themselves: see his First Book p. 297. Yet here he would gladly deny his flattering the Impropriators, and exasperating them against us, and to colour that denial the better, when he comes to repeat his own words he craftily leaves out these [ I need not I suppose tell the Impropriators that this concerns them ] which is meer double dealing. For my part I have freely spoken my Sense of Impropriations, pag. 118, and 119. And since the Quaker hath not argued against that, I shall refer the Reader thither.

Only

only note at present, that those Quakers which have Estates in Impropriations, are not convinced by T. E's. Arguments to quit their Rights to them.. As for Abby-Lands it is besides my Question to discourse of them, yet I know there was no Scripture nor Primitive Authority to oblige men to give those Lands, as there was for giving of Tithes.

And besides the whole Order of Monks and Nuns, the very Office was wholly Extirpated at the Reformation; whereas the Order and Office of Priests was still continued, and therefore it was not so bad to alienate the Lands belonging to an Office not set up by God, nor endowed by his command, and now wholly laid aside, as it would be to alienate the Tithes belonging to an Office of Gods Institution, given by his Command, while the Office is in being, and both needs and deserves them. But still it may be noted that the Parliament which consented to these Alienations of Abby-Lands, did it upon a Solemn promise from the King, that he would employ those Lands to the Glory of God and the Weal of his People, and they expected that the King would have employed them for publick acts of Charity, and to ease the people of Assessments towards the Poor, and the common defence, as also for providing liberally for a preaching Ministry, &c. Which shews that they believed, these Abby-Lands also should have been put to other good uses for the publick benefit; but not so loosely dispersed into

Lay-hands as they were, without any regard to those Pious and Charitable uses designed by the consentors to the Alienation. But whatever be the Opinion of the Clergy in these Matters, they submit to the Laws, and pay unto all their dues, without disturbing the Government, not pretending Conscience to save Charges, as the Quakers do as often as they meet with a Parson who will rather put up his wrong than be at the trouble and cost of a Sute at Law against them; and many such persons I know, who think the Remedy worse than the Disease, and rather compound for half value (which the Quaker will do by a Neighbour, &c.) than take the real advantage the Law gives them; and these Quakers under such a Minister may justly be said to pretend Conscience to save charges.

§. 19. **P**Ag. 265. This Section hath little new Matter, but what is answered before, where I have proved that Tithes are no part of Popery, and therefore if the *Saxons* had been Popish in other Opinions, in this they were of the same Opinion with the Primitive Fathers; and we may as well condemn their Laws for observation of the Lords day, for learning the Creed and the Lords Prayer, their Alms-deeds, and condemning of Images, as their giving of Tithes, to which last instances *T. E.* replies not at all. And for his suggesting

sting that Popery began by degrees, it makes nothing to his purpose, because while the Popish Opinions were only the fancies of privatemens, and neither imposed nor generally believed; surely this could not make an Age so bad that all their publick Acts relating to Religion must thereby be made invalid; and if Popery was but creeping in, in *Ethelwolf's* time, Tithes were then fully established, & received no addition but only confirmations afterwards; so that Tithes were at highest while Popery was (even according to *T. E.*) but in the beginning, and theretore Tithes were no effect of Popery. As for the Mystery of Iniquity which the Quaker talks of, I am sure it works very visibly in that Sect, who divide us and expose us to the Popish designs, and who date the rise of Popery so high, that they may persuade the People, that the Religion now established by Law is Popish, and under pretence of Popish Institutions, teach them to reject Baptism and the Lords Supper, the Letter of Scripture, the calling of Ministers and Tithes, &c. which Christ himself hath either enjoyed or allowed; and if ever Popery come in upon us, all sober Protestants confess that it must enter in at that breach which these Seditious Sectaries have made, who are so malicious that we see they will rather do their feeble endeavour, to prove the Popes Authority over *England* ever since the *Nicene Council*, (see *T. E.* pag. 224.) than want some Dirt to throw at

Tithes. But if he hath any shame he will blush at his weak vapour, pag. 269. now that I have vindicated those ancient Authorities, and shewed his ignorance and dishonesty in questioning or denying them. For I have proved Tithes as old as *Origen*, and *T. E.* cannot prove Popery so old, no not in any one peculiar Opinion of it, and therefore to be sure Tithes did not spring from Popery; and however the Quaker bespatters *Origen*, he is a good Witness when he speaks for him, pag. 274. And let *T. E.* note, that neither *Perkins*, nor *St. Hierom*, thought this Opinion of Tithes to be any of his Errors; for they both agreed with *Origen* in that Opinion. As for *Origen's* Purgatory, *Perkins* expressly shews it was not the Popish Purgatory, as was declared before. So that still Tithes are elder than Popery, and *T. E.'s* attempt to prove them Popish is altogether in vain.

s. 20. **P**Ag. 261. Having proved Tithes to be asserted, decreed, and paid as well in this, as in other Christian Churches so long before *Ethelwolf*, it will not prove them to be Popish, supposing *T. E.* could make it out that the Age of *Ethelwolf* did hold some Popish Opinions; however *ex abundanti* I spent one Page to shew that most of those Doctrines properly called Popery were not held as Articles of Faith, no not at *Rome* it self, *Ann.* 855. And I gave some instances; as First,



First, That the Marriage of Priests was not forbid till the time of *Gregory the Seventh* above 200 years after *Ethelwolf*, citing for this *Polydore Virgil*. T. E. after a tedious quotation of 2 or 3 Pages out of that Author, exclaims against me for bringing him to witness this Assertion of mine (for I did not cite *Polydore's* words) and yet, as he hath quoted them, they do affirm the same thing which I meant, viz. *That Marriages could not be taken away from the Western Priests before the time of Pope Gregory the Seventh, Ann. 1074.* And surely we cannot properly say it was received as an Article of Faith in the *Roman Church*, till those of that Church did believe it and obey it? 'Tis true some of the Popes favoured the Celibate of Priests, but the Church opposed them in it; and we can scarce count a thing forbidden, till it be forbidden *cum effectu*, that is, till it be hindered: and in Scripture it self [to forbid] is put for [to hinder,] *Acts x. 47. Ch. xxviii. 31.* and the word which is there translated [forbid] is elsewhere turned by [Hindred or Let] *Luke xi. 52. Rom. i. 13.* and [not suffered] *Hebr. vii. 23.* But not to contend about words, if the word [forbidden] were inconvenient, I am less concerned, since the thing I intended is most true, viz. That the Marriage of Priests was not taken away in the *Western Church*, nor their Single Life received as an Article of Faith, till about 200 years after *Ethelwolf*, and of this *Polydore* is a good Witness. As for the Decree of *Syr-*

*cins* circ. Ann. 387. Mr. *Perkins* himself not only saith it is of doubtfull credit, but form the Barbarism of the Stile & Imperiousness of the Orders in it, proves it to be spurious, *Demonst. Problem.* pag. 33. Which shews *T.E's* Dishonesty in citing this Decree out of *Perkins*, and attempting to prove it genuine, when he saw (no doubt) that *Perkins* flatly condemns it; but it was for his interest to overlook this. The Decree of *Pelagius* was not admitted (as *Polydore* confesses) when it was made, and was condemned by his Successor *Gregory* as unjust; and contrary to the Gospel, (saith *Polydore*) and the same *Gregory* advised *Austin* to let some of the Clergy who could not contain, to have Wives. *Resp. ad 2. interrog.* Aug. Spelm. T. 1. pag. 99. And that Decree in *Polydore* ascribed to him is of no credit, so that the Author confesses some attribute it to *Eugenius* who lived 50 years after. And the first Council he names, being the Synod of *Melda*, was not held till Ann. 845. nor is there any one Canon that I can find in it to forbid Priests Marriage. And for this Nation, 'tis sure the *British* Clergy had Wives, which were ordered to go vailed. *Syn. Patric.* Can. 6. Ann. 456. And not only the *Saxon* Priests, but divers of their Monks also had Wives, as I have proved before, and King *Edgar* was the first who laboured to impose *Celibate* on the Monks here. Ann. 975. which was 120 years after *Ethelwolf*. And yet the Priests here did generally retain their Wives till

till long after the Conquest. *Spelm. T. 2. pag. 22. 23.* And one old Historian says, *That all the Decrees to the contrary prevailed nothing, for All (by the Kings leave) enjoyed their Wives, as formerly they had done, Histor. Petroburg. Ann. 1127.* And Mr. Perkins proves very largely that it was allowed by some Popes and Councils, and connived at by others in other Nations long after *Gregories* time; and that here in *England* they had Wives many years after *Ethelwolf's* Death, yea that they were never forbidden to have them till the year 1100. So that even Mr. Perkins himself hath said enough to shew Priests Marriages were not generally forbidden in the Western Church, till long after Tithes were granted, as the Quaker may see to his full satisfaction, *Dem. Problem. pag. 193, 194, 195, 196 and 197.* And therefore the Church was not corrupted with Popery in that point when this Donation was made.

Secondly, The number of the Seven Sacraments (I affirmed) was not defined till ~~by~~ Pope Lombards daies, which I proved by the Testimony of *Cassander*, a Papist (esteeming their Evidence against themselves to be most of all to be believed). *T. E.* avoids this by saying he had not the Book. But he hath Mr. Perkins his *Demonstratio Problem.* and there he might have read the same thing, viz. Lombard and the School-men after him were the first that said there were Seven Sacraments of the Church. pag. 125. But 'tis plain he resolves to acknowledg nothing, though never so true,

which he thinks makes against him; a clear proof that he disputes not for Truth, but to uphold an interest right or wrong. However this point is clear, that the Popish Opinion of Seven Sacraments came in near 300 years after Tithes were given.

Thirdly, He confesses what I was to prove, viz. That Transubstantiation was not by publick Decrees imposed as an Article of Faith till the *Lateran* Council; and though *Perkins* say Disputations about it began *Ann.* 840. yet a thing is not received in the Church so soon as some first began to dispute concerning it, and in that very place *Perkins* adds, *that it was not agreed on till the Lateran Council under Innocent the Third* (viz. 350 years after Ethelwolf;) which clause *T. E.* more cunningly than honestly twice leaves out, where he cites the very words preceeding, viz. pag. 247. and 275. But that Parochial payment of Tithes is much elder than the Council of *Lateran* under *Innocent* the Third, *Selden* himself dares not deny; *Hist. Tithes.* Chap. x. §. 2. And I can prove that the ix. Council of *Lateran*, *Ann.* 1122. (near 100 years before this under *Innocent*) declares Tithes to be due to Parish-Priests; and the Tenth Council of *Lateran*, *Ann.* 1139. *Can.* 10. as also the eleventh, *Ann.* 1180. *Can.* 23 (and in the Appendixes) do plainly assert Parochial Right; so that there are (besides particular Canons very Antient) even Councils called General, declaring for Parochial Right of Tithes, long before the

the very first Decree for Transubstantiation. And when Tithes were given, *Rome* it self did not receive that Popish Doctrine.

Fourthly, Purgatory was but a private Opinion, as a good Historian confesses, *Ann.* 1146. And *Perkins* cites this very saying of the same *Otto* with approbation, pag. 177. shewing that the Purgatory held by the Antients was not the *Romish* Purgatory; and he much doubts whether that were received so soon as the year 600. for indeed those Dialogues, which seem to make *Gregory* the Great, the Author of it; *Perkins* thinks are spurious (pag. 38. and pag. 179.) shewing there that this *Gregory* in his genuine writings overthrows the Popish Purgatory; the very Foundation whereof *Mr. Perkins* affirms was not received in the Church for 1100 years after Christ. And the Bishop of *Rochester* (a Martyr for Popery) whom I cited before, confesses that Indulgences did but begin after men had for a good while feared Purgatory. So that both Purgatory and Indulgences in the Popish Sense were not received in the Church for divers Ages after Tithes were given here; Purgatory being not defined in any Council till *Concil. Florent.* *Ann.* 1436. and Indulgences not till the Council of *Trent*, Sess. 25. As for the Half-Communion, and equalling the Apocrypha to the Canonical Scripture; *T. E.* doth not once attempt to prove them elder than I affirmed, so that the Church was free of those points of Popery also in the Age of *K. Ethel.* and long after.

Fifthly,



Fifthly, For those Popish Opinions he tacks together, I must admonish him, that whensoever the Popes superiority began, 'tis certain out of Mr. Perkins himself that his Supremacy and Infallibility was not determined as an Article of Faith, no not at Rome in Ethelwolfs time, since he not only tells us *This Nation was not subject to the Dominion of the Pope in Ecclesiastical causes for 1000 years after Christ, pag. 210.* But also, *that the very Papists for 1400 years, and all others, taught, that the Pope hath no infallible determining Power in Judging, pag 212.* And this was above 500 years after our Charter. Again the same Perkins affirms Auricular confession did but begin about the year 800. *But the first general Law to make this necessary to Salvation, was made in the Lateran Council under Innocent the Third, pag. 181.* which was above 300 years after Ethelwolf's Charter. Doubtless it was no Opinion received in the Roman Church in Gratiens time, *Ann. 1150.* - for he declares it was disputed then, whether men should only confesse to God or to the Priest also? and faith he leaves it to the Reader to choose whether Opinion he please. *Grat. de pen. dist. 1. c. 89.* and the Gloss upon him tells us, that *Gratian* did indeed affirm this, but now (saith he) it is Heresie since the Church hath determined it. *ibid. distinct. 5.*

Lastly, As to the Invocation of Saints, it is not so Antient in Prayers as Mr. Perkins thinks, for that story of *Petrus Gnaphens* mingling the Invocation of Saints with the Prayers

Prayers of the Church, and so making it publick. *Ann.* 500. is a meer fable, and *Perkins* cites it out of *Nicephorus*, an Author which he censures to be full of Lies, pag. 43. Besides this *Peter* was an *Eutychian* Heretick, and unjustly intruded into the See of *Antioch*, and was hated by all Orthodox Christians, and particularly by the *Roman* Church, of which he was no member; so that if he had set up this, the Church of *Rome* was not like to receive it from him. And again Mr. *Perkins* mistakes in saying *Gregories* Litany was made for the Invocation of Saints, for *Bale* (one bitter enough against Popery) charges one of his successors for playing the Impostor in adding the Invocation of the deceased Saints to St. *Gregories* Litany. *de vit. Pontif.* pag. 65. And I did bring him good Authority from Eye-witnesses, that our old *Saxon* Litanies yet extant (written above 100 years after *Ethelwolf*) have no Invocation of Saints in them. And *Spelman* proves there was no such Practice among them till about 1000 years after Christ. *Tom.* 1. pag. 218. and pag. 537. Bishop *Usher* also proves that the Popish manner of prayin<sup>g</sup> to Saints was not used in the Church till the latter Ages. *Ans<sup>r</sup>. to the Jesuites Challenge*, pag. 377. I choose to wave more Antient Authors in these matters, not only for brevity sake, as this doth not directly belong to the main Question, but also in compliance with my Adversaries abilities which may extend to search those modern Authors; wherein (if he be not contentious)

tentious) he may receive abundant satisfaction, that he hath mistaken exceedingly the true state of these Times when Tithes were given by *Ethelwolf*; wherein 'tis evident none of those Doctrines were the received Tenets of the *Roman* Church, which is not accountable for the Opinions of private men; nor can the fancies of single Persons, not approved by that Church, nor imposed on its members to be believed, be properly called Popery.

§. 21. **P**Ag 279. The instances of Holy Water, consecrating of Chrism, and Wax Tapers, standing up at the Gospel, and Sunday Processions, I passed by before, some of them being allowed by the best of Protestants; particularly that of standing up at the Gospel, being expressly commanded by the Church of *England*, and was practised in the *Greek* Church within the first 400 years, and is prescribed by all the Antient Liturgies in the world; surely the Quaker cannot imagine we shall grant this to be Popery, merely upon his word. Again the Chrism of the Primitive Church used at Baptism and Confirmation, was a very innocent sign of the Grace of the Spirit conveyed by those Ordinances, and was used soon after the Apostles days, being mentioned in the oldest Writers, and strictly enjoined by the Council of *Laodicea*, *Ann.* 365. But this did vastly differ from the Chrism of the modern Papists.

Papists. And for the Processions which *Agapetus* is said to order on Sundaies; *T. E.* knows not that *Processions* are a usual name for *Litanies*, which Office used to be said walking in the Fields, in time of general Calamity, and that on any week-day, *Mamertus* used it. *Ann.* 460. But *Agapetus* ordered this Office should be said in the Church on Sundaies; and wherelies the Popery of this? As for Holy-water, *Mr. Perkins* will tell him, that the Consecration of it is not found among the first Fathers, but to believe this to be a remedy for Venial Sin, or that it hath power against Devils by the very using it, is a fiction unknown to the Ancients. *Dem. Probl.* pag. 2. 10. He also tells us there, that the Benediction of Candles is not found among the Primitive Fathers. And the Quaker cannot prove that among the Saxons any such blessing of Tapers were used; or if he could, it would amount to no more than a foolish superstition; so that still he hath found nothing that could denominate our Tithe-givers Papists.

*Pag.* 281. The Quaker next charges that Age with a piece of Popery not only believed, but wickedly put in Practice, by all his own Friends who were active in the late Rebellion, viz. the deposing of Kings; which if the Popes had done in that Age, it had been no other than the Factions did in this Age. But *T. E.* cannot prove that any King had been deposed then by the Popes Authority. The History of *Childerics* deposition is falsely related

related by some flatterers of the Popes, as if it had been done by his Authority, as well as the setting up of *Pepin* in his stead, and the absolving the *French* from their Oaths of Allegiance; when indeed the Pope was only advised with as a Casuist, either before the Deed was done (as some Historians say) or afterwards to colour over the matter (as others). Mr. *Perkins* confesses that he was deposed by the Nobles and the People, and to this agree not only *Sabellicus* and *Blondus* cited by him, but also *Antoninus*, who saith it was done by the common consent of all the Nation. Hist. p. 2. Tit. 14. Cap. 1. And *Trithe-  
nius*, by the unanimous consent of all the Nobles, Compend. Annal. Franc. lib. 1. *Nanclerus* also saith it was by the French in a publick Council of the whole Nation Gen. 16. Ann. 750. 'Tis true they all mention the Popes being advised with in this matter, but the reason of that was, because there was yet no University at Paris, and few Learned men in France; and so they had recourse to the Pope, who deposed him not Authoritatively, but by consenting that he might be deposed. *Almain de potest. Eccles. & Laic. l. 1. c. 8.* And the very same is put into the very Gloss upon the Decretals where it was said Pope *Zacharias* deposed *Childeric*, and absolved his Subjects from their Allegiance; that is, saith the Gloss, he consented to his Deposition and shewed they were absolved. Gloss. in Decr. Cap. *Alius*. 15. qu. 6. So that as *Coccinius* notes, the Pope only resolved a doubtful question propounded to him  
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*Lib. de Transl. Imper.* And *Marsilius de Padua* having shewed this was the Opinion of that most Antient French Historian *Aimonius* saith, we ought to believe this Sense of *Aimonius* as being true, and reject the Opinion of those of the Clergy, as both false and prejudicial to the Right of France. *de Translat. Imper. Cap. 6.* Now Counsel is no Command, nor do I own every ones Supremacy over me with whom I advise. That the Pope was a wicked Counsellor I will grant, and that he gave such Advise as some of our late Fanatic Teachers did to the Rebels when the late blessed King was in their power: but 'tis evident that Pope *Zachary* exercised no Authority in this matter, nor was *Childeric* deposed by him. *Vid. Spalat. de Rep. Eccles. l. 6. c. 10. §. 47. 48.*

*Pag. 283.* If there were not abundance of obstinacy mingled with *T. E.*'s Ignorance, he could not resist so many and clear Testimonies, even of Popish Authors, who have confessed this History is misrepresented by such as value not what they say, so it may advance the Popes Supremacy, by pretending so Antient a President for it. But *Hincmarus* his Epistle (if *T. E.* had read it all) is alone sufficient evidence, that no People before *Ethelwold's* time, had exercised the power of deposing the Kings of France; for he shews they had never so much as excommunicated them, much less pretended to dispose of their Kingdoms; and yet if Pope *Zachary* had done it  
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by his Legate *Boniface* (as Mr. Fox contrary to all late Authors affirms) he had done it himself, for *Legatus cujusque est quasi Quisque*. Besides I cited before three Authors who expressly say, that *Gregory* the Seventh about 200 years after *Ethelwolf*, was the first who presumed to depose Kings and Emperours; see my 127. page, and if so, how could *Zachary* do it so long before? *Otto Frisingensis* saith, *He had read over and over the Histories of the Roman Princes and Popes, and never found any before this Henry (whom Gregory the Seventh deposed, &c.) Excommunicated or deprived of his Kingdom by the Pope.* Chron. l. 6. c. 35. Before this Emperour (saith Godfry of Viterbium) we do not read of any one Excommunicated or deprived of his Empire by the Pope, Chron. p. 17. And the Chronicle of *Trithemius* affirms, *He was the first Emperour who was Deposed.* Chron. Hirsaug. Ann. 1106. And *Aventinus* saith, this Deposition of *Henry* was generally said to be a wickedness never heard of before. Annal. Bojor. l. 5. But because he hath Mr. Perkins beside him, he may find there some of these Quotations, and also these following particulars proved very fully, viz. First, That the Popes were subject to the Emperour for 850. years at least, Perk. Dem. Probl. pag. 219. Secondly, That the Pope did not Depose Princes, and particularly not the Roman Emperour, till above 1000 years after Christ, id. ibid. pag. 220. and accordingly that *Childeric* was not Deposed by the Pope, nor did the French Kings derive their power from Papal Authority. pag. 222. 223. Thirdly, That  
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the power of Deposing Princes was first established by Innocent the Third in the Council of Lateran. Ann. 1215. *ib.* pag. 224. And now is not this Quaker a man of a Brazen Brow, and a seared Conscience, who can Quote Perkins as one of his Witnesses for the Deposing of Kings and Emperors in the time of *Ethelwolf*; when he expressly Disputes for the contrary Opinion? However by this we may see also how little truth there is in that Fable of the Popes deposing the Emperor *Leo Isaurus* Ann. 731. for if *Henry* were the first Emperor thus used, above 300 years after, ( as those fore-quoted Historians inform us ) and if ( as Mr. Perkins affirms ) the Popes were subject to the Emperors at least 850 years, and never had Deposed any till above 1000 years after Christ; then this must needs be a Fable of his Deposing *Leo*, Ann. 731. And T. E's. Authors, *i. e.* *Platina*, *Steuchus* and *Wernerus* were all of them very Partial for the Popes Supremacy, and so mis-represent the story, as may appear in that, whereas *Platina* saith *Gregory* the Third Deprived *Leo* of his Empire as soon as he came to the Popedom; 'tis certain, the same *Gregory* the Third owns *Leo* to be Emperor in the last year but one of his Life and Reign, for the said *Gregory* dates one of his Epistles thus, In the 23 year of the Reign of the most Pious Lord *Leo Augustus*. *Greg.* 3. Epist. 5. *Baron.* T. 9. Ann. 741. and *Bin.* T. 3. p. 1. s. 1. pag. 353. And this was the 8th or 9th year of *Gregories* Popedom, and only one year or two before

before his Death ; therefore doubtless he did not Depose that Emperor whom he owns for Emperor in his own Decretal Epistles. So that I hope neither *T. E.* nor *Bellarmin* and his Jesuites ( who also labour much to make this Point of Popery seem Antienter than it is ) shall ever be able to make out, *That the Popes Power of Deposing Kings was held in the Age of Ethelwolf, or had ever been put in practice.* And I observe, though I Challenged him to shew that it was believed or practiced in this Nation about that Age, where and when this Charter was made, *T. E.* never attempts it, I conclude therefore that this point of Popery was not then received any where, nor particularly among the *Saxons* who gave Tithes.

*Pag. 285.* The next instance of Worshiping Images, I did so fully clear the *Saxons* of *Ethelwolf's* time from, in my former Book, by the Testimonies of the best Authors Antient and Modern, pag. 129. 130. that *T. E.* thinks it not best to answer directly to any of my proofs ; but thinks to evade them by flying to *Mr. Perkins*, whom (after his usual manner) he cites to prove somewhat directly contrary to that which *Perkins* disputes for. As may appear, in that it cannot be imagined he should mean that the *Roman Church* allowed the Worship of Images, *An. 600.* since he ( in the very next words ) saith ; *That Gregory (who was the Pope) denies that Images are to be Worshipped.* lib. 9. *indist.*

indict. 4. Ep. 9. and that the Councils after this time approved of their being put in Churches, but did not teach they were to be worshipped. And also that this Worship was first publicly established, Ann. 788. in the second Council at Nice. But withall Perkins confesses, that the Synod of Francfort, (in which Charles the Great and the Popes Legates were present) condemned this Nicene Council as Heretical, and he relates that the Pope did so also. Ann. 794. and then sets down at large out of Hoveden (as I had done) the account of our Saxon Princes and Bishops, condemning this Worship of Images. Ann. 792. And yet this is T. E's. Witness that Image-Worship began publicly, Ann. 600. Whereas he utterly confutes both T. E. and his Authors, who teach him that these Popes, Gregory the Second and Third, Zachary and Stephen, were establishers of the Worship of Images from about the year 730 to 750, for we see long after that, viz. 788, the Pope and his Legates condemned the Worshipping Images, and indeed those Popes, Gregory the Second, &c. condemned the defacing and breaking Images (which were then used for Ornament and History only) but did by no means like the Worshipping them, and thence it was that the Council of Francfort (as Perkins also notes) condemned both the Council of Constantinople, for decreeing they should be defaced; and that of Nice which appointed they should be worshipped. So that Rome it self was Orthodox in this point by Mr. Perkins.



own confession, within 60 years of *Ethelwulf's* Donation; to which if the Reader will add what is said in the places Quoted in my former Book out of Dr. *Stillingfleet*, and Sir *Roger Twisden*, he may be fully convinced that the *Gallican* and *English* Churches (the most famous for the solemn settlement of Tithes) remained long after *Ethelwulf's* time free from the Idolatry of Worshipping Images; of which *T.E.* slanderously accused them. To which let me only add, that his great and Learned Bishop *Agobardus* about the year 900, writ a vehement Book against the peoples superstition in Worshipping Images; wherein among divers forcible Arguments against this practice, I find, he saith, *He can prove out of the Roman Churches Mass-book that to condemn Image-worship, is the true Religion, the Catholick Custom, and the Antient Doctrine of the Fathers.* Agobar. de Imagin. s. 30. pag. 263. And I am sure he can find no Authentick Canon of this Church of *England* for Worshipping Images till above 1000 years after Christ; so that the *Saxons* who gave Tithes were clear of this piece of Popery also.

Pag. 287. As for *Miracles*, I had affirmed that the belief of them did not make men Papists, and supposed *T.E.* and his Quakers durst not say it did, because they believe Immediate teaching, which is a far greater Miracle than any in *Bede*; this he calls a Quibble, but 'tis *Argumentum ad hominem*, and such an

an one as he hath nothing to say against yet I did not by this evade a more direct proof of my Assertion; for I shewed that many Miracles are Recorded in *Eusebius*, and the oldest and best Church Histories, which do not prove the Authors or People of that Age Popish. And though he hath weeded *Bede's* History for superstitious Miracles, yet I can prove there are divers Miracles in that Author, wrought to convert Pagans and confirm the Christian Faith, see *Lib. 1. Cap. 18. 19. ibid. Cap. 31. Lib. 2. Cap. 6. Cap. 7. Cap. 9. Cap. 12. and Lib. 4. Cap. 13. and elsewhere.* Nor is it unlikely that many such might be wrought by those who converted the *Saxons* from Heathenism; and if *Bede* were too credulous in reporting only what he had by hearsay, ( for he confesses of many things in his History that he was informed of them only by fame, *Præf. ad Histor.* ) and so report some false Miracles, that cannot brand him or his Age either with Popery. And I note also that the Miracles mentioned. *Lib. 2. Cap. 2.* were not to confirm any Worship to *Christ's* Cross, nor indeed the Worship of any other Cross; for there is not one word of Worshipping that Cross he speaks of, which was no other than an ordinary Cross of Wood stuck down for a Standard by *Oswold*, ( who was no Popish Saint ) in a Fight against the Pagans, and to do Honour to the Faith of a Crucified Saviour before Infidels, whereupon God gave him a great Victory over them, and caused Wonders to be

wrought by that Cross, ( as *Bede* saith ) afterwards. And no doubt there were many and great Miracles wrought by the Cross in the Primitive times, yet they gave all the Glory to him that suffered on it; and obtained those Wonders, not so much by the sign, as by Prayer to God, which was innocent and no Popery, as *Perkins* will teach the Quaker. *Dem. Problem.* pag. 84. and 85. and for the rest of his Instances they are not worth the answering, being at the most but Testimonies, that the Saxons did incline to some Superstitions, which I never denied; but for that which is properly called Popery, and makes the separation between them and the Protestants, from that (as I have proved) they were clear.

Pag. 290. Concerning the *Intercession of Saints* I have already spoken (upon his 277 page) and shewed from good Authority, that *T. E.* and his guides too are mistaken if they charge it on the Saxon Church; especially so early as *Ethelwolf's* time; and the Quaker doth but repeat his former baffled Quotations, and tell over again his once confuted falsehoods, as that of *Gnapheus* mixing the Saints names with the publick Prayers of the Church ( which he falsely and ignorantly now says is spoken of the Church in general ) and that of the Names of Saints being in *Gregories* Litany; and that notorious Fable of all the Archbishops being Forreigns for 150 years. So that I have nothing to add here but my  
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Admiration at his Impudence, who can without blushing tire his Reader with the repetition of such stuff. Only let me tell him, Mr. *Perkins* his instances do only concern Foreign Churches; but I brought divers proofs that the *Saxons* (of whom we now dispute) did not invoke the Saints, which as yet remain unanswered; only by a new passage out of *Bede's* History, miserably wrested, he attempts to prove the *Saxons* did believe they interceded with God for them, because one *Ceolfride* mentions it as the desire of *Adamnanus*, that he might have Peter his Patron with God, L. 5. c. 22; which may be candidly expounded, upon the account of those general Prayers which the Scripture intimates, *Revel.* vi. 10. and the Fathers believed that the Saints made to God for all true Christians. Or else when the Saints shall judge the World at the Last day, that St. *Peter* should own them who had followed his Rites, before the great Judge. But 'tis evident it ought not to be translated [Mediator] because there is not one Prayer in *Bede* to St. *Peter* or any other Saint, and *Bede* himself in the end of this History prays only to Christ, without the mention of any other Saint or Mediator. So that still we see the *Saxons* appear clear from this point of Popery also, till after they had given Tithes. The Article of Transubstantiation he hath yielded before, and I had here established it with two new proofs above 100 years later than *Ethelwolf*, to which



his silence gives consent; only he pretends there are some other things for which *Rainolds* charges the Church of *Rome* with Idolatry, viz. the Worshipping Water, Salt, Oyl, and other consecrated things. To which I reply, this Charge is not often urged, nor very easie to be proved concerning the present Papists, that they give Divine Worship to these; but however it can never be shewed that our Tithe-giving *Saxons* had any such Opinion or Practice, and therefore they were no Idolaters, and *T. E.* is a manifest slanderer of his and our Forefathers.

§. 22. **P**Ag. 294. The Quaker thinks *Bede's* Relation, as a Historian, is so good Evidence of the Judgment of the Saxon Church in point of intercession of Saints, pag. 292. that from a meer ambiguous Word, he confidently thinks to prove it, yet like an unjust measurer, when I quote *Bede* professedly writing as a Divine upon the point of Merits, and declaring utterly against obtaining Salvation by them; as also *Alcuinus* in the same Manner, *T. E.* calls these proofs the Judgment of these particular men, and will not allow them sufficient to prove the general received Opinion of these times; is not this to use false Ballances, to buy by one weight and sell by another? I am sure there is no Merit in such Injustice. But the ingenious Reader will believe these two who were the most famous *Saxon* Divines of their times, are better evidence for the Opinions of Justification by Gods Mercy and Christ's Merits,



rits, than any *T. E.* hath produced to the contrary; for *Cambden* was a Historian and no Divine, and an Author but of this very Age, yet the instances *T. E.* brings out of him, are above 100 years after *Ethelwolf's* time; and 'tis no news for Mr. *Fox* to mistake in his dates of Popish Opinions. But I have before cleared those expressions of their Charters from the modern Popish Sense of those Phrases, and proved by *Anselm*, *Adrian* and Bishop *Usher*, &c. That *Merit* in the Sense of the present *Roman* Church was not believed in that Age nor long after, and Mr. *Perkins* himself I have produced to convince the Quaker of this. Finally, the matter of their excluding the Apocrypha from the Canon of the Scripture *T. E.* yields a second time, and clears the *Saxons* from Popery in that point; but then pretends, that alone will not prove them no Papists; very true; but that is not the only Point he hath yielded himself, for he confesses they were clear of the Half-Communion, Seven Sacraments, Transubstantiation, &c. And I have now abundantly proved that the *Saxons* were no Papists in any of the great points which Protestants now deny; not being subject to the Pope nor Members of the *Roman* Church, not holding the Popes Supremacy or Infallibility, the necessity of Priests abstaining from Marriage, Purgatory, Prayers to Saints, Merit of good Works, Worshipping of Images, the Popes power to Depose Kings, Absolve their Subjects from

from their Allegiance, or to grant Indulgences, nor did they hold Auricular Confession to a Priest necessary to their Pardon. The Church of *England* was then as it is now, a distinct Church of it self, under its own Prince and Patriarch, its King was supreme in all Causes, and over all Persons; its Priests had liberty to marry, its Canon of Scripture was intire, its Worship free from Prayers to Saints, from Adoration of Images, or of the Sacramental bread, and from all other formal Idolatry. Its Sacraments were but Two, and the Communion Administred in both kinds, and received without the monstrous conceit of Transubstantiation. Its People were not frightened with Purgatory, cheated with Indulgences, nor enslaved by Auricular Confession. They did not own the Popes Universal Supremacy, nor rely on him as an infallible Judge, they believed not his power to Depose Kings or to Absolve their Subjects from their Allegiance. And finally their hopes of Heaven rested not upon the Merits of their own good Works, but upon the Mercy of God and the Merits of Jesus Christ. Wherefore doubtless I had good reason to affirm they were neither Papists nor Idolaters, and that they differed from the present Church of *Rome*, in all the most material Articles of Faith, in dispute between them and us; being generally nearer to the Protestant Church of *England* in their Opinions, than to the modern Papists. So that without taking any notice of his frivolous Questions and nauseous

seous Repetitions of that which hath been so often disproved ; I conclude, that the Quaker hath slandered the *Saxons*, and that he shews both Ignorance and Impudence, in supposing the Church was so corrupted with Popery then, that their Donation of Tithes ought not to stand good, or be enjoyed, no not by a Protestant Ministry,

Pag. 301. But still T. E. cannot give over harping on this one string of Popery, and without any occasion, runs on to rail at the Popery of those times for 4 or 5 Pages together, shewing all along (as the Reader may discern by what hath been said,) his Malice, Ignorance and Dishonesty ; to all which I shall not need to say much. But let him read Mr. *Perkins* honestly, and he will find very few Corruptions in *Rome* its self, in Pope *Gregories* time, when *Augustine* came hither before the year 600, and that it is no wonder if the *English-Saxons* ( who had received the Christian Faith from *Gregory* and the *Roman Church* ) were very respectful to him, and had a great Opinion of it ; and since this Country was then so Barbarous and destitute of Learned Men, it was not strange they frequently sent thither for advise in their Doubts where there was great plenty of Learned Men. And since no Church in that Age had a certain or better attested succession from the Apostles than that of *Rome*, for that reason as well as because their Converters came thence, divers of the *Saxon* Archbishops

Bishops went thither for Consecration ; and for the use of the Latin Tongue in their Service: Mr. *Perkins* out of good Authors assures us, that of the Five Languages then used in this Island, *Latin* was the only Tongue generally understood by all. *Dem. Problem.* p. 153. Nor was it any disparagement to the *Scots* and *Saxons* of those times, to learn to sing from *Rome*, so lately the the Seat of the Empire, and the most famous City for Arts and Sciences in the Western World. It is true indeed, divers of the Bishops of that City, about an Age or two after *Gregory*, were Evil Men ; but others of them were very Pious in their way. 'Tis true *T. E.*'s. own Author *Wernerus* confesseth of Pope *Constantine*, that he was the fifth infamous Pope among so many as had hitherto sat ; the Spirit of God did so keep that Holy Apostolick Seat in Vertue and Honour. Which Sentence our Quaker cunningly leaves out, and makes that which the Author meant for the Honour of *Rome*, to sound to its dispraise. And truly 5 bad Bishops among 96 was no great number. When *T. E.* hath leisure, let him look over that Authors Character of *John* the Sixth, *Constantine* the First, *Gregory* the Second, and Third, Pope *Zachary*, and *Stephen* the Second, *Paul* the First, *Adrian* the First, *Leo* the Third, *Eugenius* the Third, *Leo* the Fourth, *Benedict* the Third, and *Nicolas* the First, who were both before and after Pope *Joan* ; and he shall find High Encomiums of their Sanctity. But it seems *T. E.* was sore put to it for matter

ter to rail at the Tithe-giving Age, since he is forced to tell a monstrous Lie, and put the vilest abuse in the world upon poor *Platina*, bringing in those words which he spake concerning the year 1471. of the corruptions in the Church then; and falsely saying they were spoken of the Times before *Ethelwolf*. Vid. *Plat. Vit. Steph.* 3. pag. 118. And again in Quoting *Wernerus* he leaves out a Line which would quite have spoiled his Cause had he put it in, for he brings in that Author exclaiming against the times after *Ethelwolf*, and the scandals that then happened in the *Roman Church*, Which (saith he) O Lord hitherto thou hast kept with so much care. This T. E. left out, because it implied that God had kept the *Roman Church* from these scandals till after *Ethelwolf*'s time. 'Tis a sign he grows empty of just matter, when he is come to make shuffling and Lying his last refuge; for my Part I do not need nor intend to vindicate the *Roman Church*, nor the *Saxons* neither, further than Truth will allow; for if both had been corrupted in other things, yet they held a Primitive Opinion in point of Tithes, and however the giving of them was no Popery.



§. 23. **P**Ag. 307. It further proves Tithes no Popery, since (as they were given before Popery came in) so they were retained, received, allowed and confirmed after Popery was turned out, even by those very Martyrs who died for the Protestant Faith, *Cranmer, Hooper, Ridley, Latimer, Taylor and Bradford*. All Learned and Eminent Divines. To this the sum of *T. E.*'s tedious reply is, that these Mens receiving Tithes will not make them less Popish, because they lived but in the dawning of the Reformation, and all Truths were not discovered at once, but gradually. And that is is not fair to argue there were no other Evils in the Church of *Rome*, but what they (at that early hour) testified against, especially since divers things which they took no notice of, were plainly condemned by others, and Tithes particularly by other Godly Martyrs, *Thorp, Swinderby, Brute, Wickliffe, &c.* This *T. E.* calls a plain Demonstration, and indeed so it is of his folly to urge it, and his confidence to repeat it. For the reason which he gives why *Cranmer* and his Contemporaries could not discover the true nature of Tithes, *viz.* Their living at the dawning and day-break of the Reformation, holds far more strongly to persuade us that *Thorp* and his Contemporaries could not discover their true Nature, for these lived before the day-break at all, in  
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the very midnight of Popery. And if Truths be discovered gradually, then the latter Martyrs should have more knowledge, and discover more Truths than the former, for it is a Preposterous thing to fancy God should Reveal Truths gradually, and yet give more light to the preceding Age than that which followed, and therefore 'tis absurd to believe God should reveal a Truth to *Thorp, Bruce, &c.* and in his progress of making more discoveries, hide it again from those of the Age following, viz. *Cranmer, Ridley, &c.* who had Ten times more knowledge than any of the opposers of Tithes had, and far better Light, and yet, though they well knew such a Doctrine (as condemning Tithes) had been taught by some before them, they did reject it as an Error; and surely we ought where such difference is, to follow them that had the greater Light, and were better able by far to discern Truth from Falshood. *Wickliffe* and his Company in the night of ignorance took some Bushes for Bears, and Tithes for Popery; but when the day was broke, *Cranmer* and his Company saw the Bushes were truly Bushes, and Tithes agreeable to Scripture and Primitive Practice; surely therefore these latter are to be believed, and the former to be rejected in this point, though they were in the right in others. I am sure *Cranmer, Ridly, &c.* are extremely wronged by any who think that *Thorp, Bruce, &c.* had more knowledg than they; for though *Wickliffe* was a good Schollar, after

after the rate of the Age he lived in, yet he was far short of the meanest of the other *Sx*; and for the other Three, *Thorp*, *Brute* and *Swinderby*, they were men (as far as I see) destitute of all solid knowledge: So that I wonder Mr. *Fox* should so far disparage the Spirit of God, as to tell us of *Brutes* and *Thorps* Discourses manifesting the mighty Operations of Gods Spirit, and the marvelous force and strength of the Lords Might, &c. for truly in some part of their Discourses there is not Common Sense, as I have shewed of *Brute* frequently, and one Instance of *Thorp* I gave before, Pag. 139. where he cites a silly saying, of his own, as some of the Fathers Words, and *T. E.* even where he would vindicate him, cannot tell that ever any Father said so, and I am sure no Father ever did; did the Spirit help him to tell that Lie? But tis not my Sense only that these men did weakly oppose Tithes, for *T. E.*'s admired Mr. *Selden* accounts these Arguments (that Mr. *Fox* fancied Inspired) to be so despicable and mean, that we see he scorned to stuff his Book with them, telling us that, for the Arguments of *Wickliffe*, *Brute*, *Thorp*, and some such, he had rather send the Reader to *Fox* for them, *than stuff that place with them.* Chap. 7. pag. 167. Mr. *Fox* indeed is to be commended for his industry, but his judgment often fails him, as we have on several occasions shewed, and therefore the Reader will the less wonder to find him sometimes speaking against Primitive Rites and

and Practices as Popish and Superstitious. But I shall let him rest, and conclude that to me it is a plain Demonstration, that *Cranmer* knew all the Truths that *Thorp* and his Company knew, and many more, and that if men of less knowledge took an Opinion to be true, which men of more knowledge condemned as false; every wary man should follow the bigger and better Light. And for *T. E.*'s mistake in calling them Martyrs, of whose constancy to the end, and of whose manner of Dying there is nothing but Mr. *Foxe*'s May-be's and suppositions; I shall pass it as nothing to the purpose, it being sufficient to me that *T. E.* grants the most famous Protestant Divines, who carryed on the Reformation, and certainly opposed Popery with their Lives, both allowed and received Tithes, not accounting them either Popish or unlawful. And this shall suffice for this Fourth Chapter.

## C H A P. V.

§. 1. **P**Ag. 327. Having proved the *Divine Institution*, the Primitive Practice and voluntary Donation of Tithes, and cleared them all from the Exceptions of my Adversary, I am now to declare the *Positive Laws* for them, in order to make good the Clergys Civil Right to this sort of Maintenance. And the preceding Donation was a very proper Introduction to this Point, for our old Sages of the Law tell us, *That a Civil Right is acquired by Donation.* *Fleta*, l. 3. c. 2. §. 17. *Bracton de acqu. rer. Dem. c. 2. §. 4.* especially when the thing given, is put into the possession of the Party to whom the Donation is made. *Fleta*, l. 3. c. 15. §. 4. either by Livery, as in Houses and Lands, which they call *things Corporal*: or by any other sufficient conveyance of the owners Title, as in Rights, Advowsons, &c. which they call *Things Incorporeal.* *Bract. cap. 23. §. 1.* And even they who had no manner of Civil Right to a thing before, do often acquire a Civil Right to it by either of these waies; let them prove a good Donation, or but a long Possession, and the Laws do confirm that Right. Now our Law-givers found the Clergy endowed with Tithes by a pious publick and firm Donation, and in actual possession



sion of them, and since the end of Laws, and the Duty of Law-givers, is to secure every man in his just rights; our Ancient Kings (such as *Edward the Confessour*) did alwaies take the first care of the Rights of the Church, looking upon it as one of the chiefest parts of their Office to preserve and maintain the Church as that good King speaks in the Sentence cited before out of his Laws. *Leg. Edw. Confess. cap. 15.* and when he or they made any Laws, *They began* (saith *Hoveden*) *with those for the Church, because by it both King and Kingdom have their solid Foundation.* *Hoved. Annal. pars post. p. 343.* Many of which Laws made by our Kings and their great Councils, I cited in my former Book, pag. 97, 98. and the abridgment of them all is that first Branch of *Magna Charta*, *That the Church of England shall have all her Rights and Liberties inviolable:* a Charter so Sacred that it is declared in our Laws, *That any Statute made contrary to this, shall be void,* 42 Ed. 3. cap. 1. Wherefore our Princes and Parliaments of the Ages before the Reformation, and since also, having regard to these Constitutions of their Forefathers, have made divers Laws to confirm Tithes to the Clergy, so that now they are secured in the enjoyment of them by as many, and as firm Laws as do secure the Laity in their Estates, and therefore doubtless they have a Civil Right to Tithes. T. E. hath nothing to object here, but to carch at a Phrase, and tell us, *That if the Reformers*

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settled Tithes upon the Clergy, according to the Constitutions of their Fore-fathers, then they are Popish in their settlement, for their Predecessors were professed Papists; and consequently the Constitutions made under them for the Maintenance of the Church were absolutely Popish. But I was not speaking of Laws since the Reformation only, my discourse concerns all Human Laws for Tithes, made at any time since the Donation, and who sees not the shallowness of this fallacy, that because some of our Law-makers were professed Papists, therefore the settlements they made were Popish, as if all actions of Papists were Popish; or as if *Magna Charta* were no creditable claim, because it was made by Papists professed? And supposing the confirmers of the settlement of Tithes were all professed Papists, yet in this Act they only confirmed what the Laws of God (expounded by Primitive opinion and practice) had declared to be due. They fixed the Clergy in the enjoyment of that which they found freely given to them and actually in their possession, and since Protestant Princes, who rejected those Constitutions of their Fore-fathers that were Popish, have ever since confirmed, approved, and continued those for Tithes, 'tis manifest they did not think these Constitutions Popish; and surely all our Kings and Parliaments, since the Reformation, may be presumed to know what was Popish and what was not, at least as well as this Quaker, and if either their judgment, or my  
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former proofs, can out-weigh the bold Assertions and weak reasonings of *T. E.* then the settlement of Tithes is not Popish, and this Objection comes to nothing.

*Pag. 328.* Doubtless the readiest and fairest way for this *remover of Positive Laws*, to have disproved the Clergys Civil Right to Tithes, had been to have shewed that no Laws now in force do give the Clergy any such Right, and either that there never were such Laws, or that they are repealed. For the first enquiry was concerning matter of Fact, whether there were such Laws now in force or no, and by declining this way of proceeding, he tacitely grants that (for all his removing them) there are Positive Laws in force still; and if so, he must in the next place prove these Laws are so unjust, that they ought to be repealed, which if he were able to do (as I am sure he is not) yet I must tell him, that till the supreme Authority do actually repeal them, these Laws do give the Clergy a Civil Right to Tithes, and no subject of *England* may detain them or take them away, upon pretence, that in his opinion the Laws for them are unjust: for at that rate the Law could settle nothing; there being no Civil Right, which some or other may not pretend to be unjustly settled in their judgment, and so every mans property shall be at the mercy of his Neighbours opinion, and every private man would be above the Law, *For if thou*

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judge the Law, thou art not a doer of the Law, but a judge, saith the Apostle James iv. 11. Suppose upon a Tryal for an Estate, the Law settle it upon one whom the Tenant in his private judgment, believes not to be the right owner, nevertheless this Person hath the Civil Right to this Estate, and the Tenant must pay his Rent to him whom the Law determines for, even against his own opinion. And those who hold the Laws for granting of Impropriations to Lay-men were not well grounded, or are not agreeable to Equity; yet while the Laws are in force, do not (as the Quakers do by the Clergy) deny to pay these Tithes to them; For Human Laws are the Arbiters of Civil Right, and [Right] in this sense is no more than a [Legal Tithe] which may sometimes vary from strict Equity, but of that Magistrates and not private men must judge. So that it had been a better way for T. E. to have removed the positive Laws and the Civil Right together, since although he and his Quakers may fancy he hath proved the Laws unjust, yet till Authority be convinced they are so, the Civil Right will remain still; and if that perverse Sect (who will not permit Kings and Parliaments to set out Civil Rights) do suffer for detaining that which the Laws saies is anothers due, they suffer as evil doers, and transgressors of those Laws, which are the Hedge of every mans Property. He knows that the oppressed Royalists did pay Tithes to those who had

had Law on their side, in the times of Rebellion; and he shall here a great Protestant Divine tell him what the Reformed Christians now do, in Popish Countries: *By vertue of those Laws (saith he) the Protestants do not deny to pay Tithes in those Kingdoms, where Princes by their Laws command them to be paid, and upon this ground our Divines have satisfied those that pretended they scrupled to pay them to Popish Priests who Minister to Idolatry.* Rivet, in Genes. Exerc. 80. Now if the Law would bind us to this payment supposing it were not strictly agreeable to equity, how much more when it is grounded upon Scripture and Primitive Antiquity, upon reason and justice, upon Donation and Possession, to break such Laws of men is to transgress God's Law also: But *T. E.* despairs of proving that there are no Laws to settle Tithes, and therefore makes a feeble attempt to cut the Clergy off from the benefit of them, by pretending that Lay-men have a better claim by Temporal Laws, than Clergy-men can have, because the ground of their claims are different; whereas indeed they both claim as Subjects, for in the Protestant Church, Clergy-men are Subjects as well as Lay-men: *T. E.* therefore (as my Friend rightly noted) must prove the Ministers Out-laws before he can deprive them of the benefit of the Laws of their Country, which give unto men in all capacities Spiritual and Temporal, that which they judge to be their due; and since the Clergy (as



his brother Priest hath proved ) have a right to them by the Laws of God, as well as the Laws of the Land, their Title is still the stronger; for Mr. *Selden* will Teach him these two Rights do not enterfere with one another.

§. 2. **P**Ag. 331. But though nothing can be weaker than this Cavil of Laymen, and Clergy-mens claiming in different capacities, yet *T. E.* spends above ten Pages on it, reiterating it in variety of words, that if it will not pierce by its force, it may by its continual dropping—*Non vi sed sæpe cadendo.* But since that which relies on a fallhood can never be strengthened by multitude of words, therefore that admonition doth well sute him, *Aut deme verbis, aut adde viribus,* and I must desire that we may either have more truth and reason; or fewer words; for all this *Jargon* is but to amuse his Quakers. And indeed, as *St. Hierom* observes, *Nothing is easier than by a multitude of words to abuse a company of ignorant men, who most admire that which they least understand:* But those who read his Discourse with Judgment, may perceive that his whole force relies upon this false and foolish Principle, *That Human Laws cannot settle any thing upon men in Spiritual capacities, at least with respect to their Spiritual Function.* Which absurd Position impeaches all the Legislators in Christendom ( especially in the Protestant part of it ) of Folly, for making Laws concerning

cerning the Clergy; yea, it charges his Friends the *Bohemians* as deep as any, for settling Stipends on Ministers by Temporal Laws, and other States who have done the like; for according to *T. E.* their Ministers cannot claim these Stipends by those Laws, because their capacities and the Laws they claim by are of different natures; and according to him they were fools that made such Laws. I am sure all sound Protestants believe, the Clergy as well as the Laity are subject to the King and Laws of the Land, and if they offend against them even in their Spiritual capacity, they are as liable to punishment as any other Subjects, and there are divers Temporal Laws to direct them in their Spiritual capacity; and shall they despise these Laws, and say they are not binding to them, because these Laws and their capacities are of different Natures? How easily might *T. E.* at this rate argue his credulous Quakers into this gross Point of Popery, *That the Clergy are exempt from all Subjection to Temporal Laws, and the Church must not be governed by the Laws of secular Princes?* Which *Bellarmin* would prove by this very Argument, *Because the Civil and Ecclesiastical Powers are different in their Nature, Acts, Offices, and Ends.* *Bellarmin. de Rom. Pont. l. 5. c. 3, 5, 6, &c.* Nor is it unlikely that some Jesuite in the disguise of a Quaking Speaker, hath put this Popish Argument into their mouths. But it will not do *T. E.*'s business in a Protestant Kingdom, where succession in a Religious Office,

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and a Free-gift to that Religious Office are by the Laws accounted as good Qualifications for a Civil Right, as Heirship, Purchase, Free-gift, or Civil Office, can be to a Layman; nor do we claim the Tithes of any particular Parish meerly as Ministers, but as our Institution and Induction makes us the true and lawful successors of those who enjoyed those Rights before, and put us into possession of those Rights, which the Voluntary Donation of the owners, ratified by innumerable Laws, had settled upon the Incumbents there. And though when a Layman and a Clergy-man claim a Right, the Persons claiming are of different capacities, yet the same Human Laws having settled both these Rights, their claim it self relies on the same ground, for both claim that which the Law hath settled upon them: And since a Free-gift to one in his Spiritual capacity, is by the Laws of this Land as good a ground for a claim, as to one in a Civil capacity; therefore the man in a Spiritual Capacity hath as good Civil Right to what is given him, as the man in a Civil Capacity hath to what is given him; yea, if *T. E.* will suppose both Capacities to meet in one Person, as in a Clergy-man that were Lord Chancellor; and suppose the Law settled some Rights upon his Ecclesiastical, and others upon his civil office, doubtless he would have as good civil right, and as fair a claim to that which belonged to his Spiritual, as to that which belong'd to his temporal office: And if the

the temporal estate settled on the Chancellor, were upon this condition, that he were also a Priest, then would he by vertue of his Spiritual qualification have a Civil Right to that estate: As for the making out our claim to Tithes by Divine Laws, we have done that in its proper place; but it is our Civil Right which we are proving here, and therefore here it suffices that we produce Human Laws, and shew that those Laws have settled the Rights of those in our Capacity, as well and as firmly, as they have done the Rights of those in Civil Capacity, nor shall I be so foolish to obey the baffled Quaker who would willingly call me off from proving that which is the proper enquiry here, and set me on work upon that which I had done before.

*Page 334.* I observed there were great differences between Civil Capacities, some claiming by Heirship, as suppose *T.E.* others by vertue of a Civil Office, as the Mayor of a Corporation, yet one Law gives equal Civil Right to *T.E.* and to the Mayor, though they claim under different Qualifications: whence it follows that the difference of mens capacities doth not hinder them from having equal Rights by the Laws of the Land. Here the Quaker either through haste or design mistakes me, as if I had said the Mayors of Corporations claim under different Qualifications, to which I shall only say as *St. Augustine* to *Crescarius*, *Read diligently first that which*

which thou writest against, and either understand it, or do not pervert to another meaning that which thou dost not understand. As to the Argument, since a Civil Office gives as good a Right to that which is settled on that Office, as Heirship doth to an Inheritance, it follows that men in different Capacities may have equal Civil Right. And where the same Person hath divers Capacities, and by vertue of them Rights of divers kinds, yet the same Human Laws settle all those Rights: I instanced in the King, who, as our Law speaks, is a *Mixt Person* having both a Civil and Spiritual Capacity, and divers Rights belonging to him in each Capacity, a Catalogue of which *T. E.* (who is best fitted for *English* Authors) may find in *The Present State of England, Par. 1. pag. 85.* where he may see that Human Laws do give the King a Civil Right to things claimed in his Spiritual Capacity, and his Highest Right of this kind, *viz.* his being Supreme Governour of the Church, was declared and settled by a Statute Law, which being no more than a Human Law, yet it settles a Right on the King in his Spiritual Capacity; and though I believe he had a higher Right to that Title and Power from God's Word, yet he hath now a Civil Right superadded by vertue of this Statute Law: and as good a Civil Right as *T. E.* hath to his Estate, yea a better, because there is a special Act of Parliament to confirm it, whence it is clear that Human Laws may add a Civil Right, to that



that which might have been claimed by God's Law before, and not hurt the first Title, and that they can give as good Civil Right to Persons in a Spiritual Capacity, as to those in a Civil Capacity : and this is very much to the purpose, because it proves that which the absurd Quaker denied, *viz.* That Human Laws can settle a Civil Right upon those in Spiritual Capacity. . And if a Lay-man and a Clergy-man both claim their several Rights, one by vertue of a Free-gift to his Place and Office, the other by vertue of a like Gift to his Name and Family ; the Law will declare the Spiritual man hath as good a Civil Right as the Lay-man, nor will there be any thing required of one, more than of the other, to make out his claim : The one must prove his Spiritual Qualification, and the other his Civil Qualification ; and then the Law which determines Civil Rights, will as readily declare the Priest's Right as the Lay-mans, and since our Priest-hood is as easie to prove as *T. E's* descent, I Judge, our claim is as good as his ; nor did I design any abuse to his Mother, unless he make it one, by wounding a whole Order of men, being willing to allow her honesty upon less proof than we are able to give of our being Priests or Ministers of Christ. But how strangely partial is this Quaker ? he can Question without any regret, whether our Priest-hood be legitimate, and impudently saies, *pag. 479, &c.* that we are no Ministers of the Gospel, whenas all the sober

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Protestants in *England*, and the whole world, know we are such, and own us as such, and the Laws of the Kingdom do declare us to be such; yet it must be a crime in me to say that our Ordination is easier to prove than his Mothers honesty, which could not be certainly known by any but her self: I thought our Spiritualized Quaker had not been so much concerned for his Mother according to the Flesh — *Tant ené animis celestibus ira!* As to the main Controversie, if Spiritual mens claims to that which belongs to them as such, were not cognizable by the Civil Magistrate, then must there be a Popish Independent Ecclesiastical Tribunal set up, at which alone Spiritual Persons, and their Causes must be tried without appeal: and indeed this is the natural consequence of what *T. E.* hints about a Spiritual claim being not under the cognizance of Human Laws, because they are not of the same nature with it: But neither he nor his Prompter the Jesuites shall make us desire any such Exemption, we find that the Laws of our Country do not look at the difference of mens Capacities but the equity of their Title, and if a Clergy-man Sue for Land due to his Church, against a Lay-man who detains it upon pretence of Heirship, Purchase, &c. though the persons claiming be of different capacities, yet if the Clergy-man have the better Evidence, the Law will declare the Civil Right to that Land is in him, and Decree him the possession of it. All which

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abundantly shews that all Subjects, whether they be of Spiritual or Civil Capacity, have their Rights settled and secured by Law; that the Clergy have as firm a Civil Right to their Tithes by Human Laws, as the Laiety to their Estates: though the persons claiming differ in their Qualification, the Law gives, *Summ enique*: To every man in every Qualification, that which belongs to him.

S. 3. **P**AG. 339. I should tire the Reader and become like unto my Adversary, if I followed him in all his impertinent follies; nevertheless that he may not be wise in his own conceit, I shall briefly tell him by way of reply to this whole enquiry; That our Laws and Law-givers do not think the Laiety and the Clergy to be of such contrary capacitys, but that they both agree in the common Capacity of Subjects, nor do any (but he and the Jesuites) say that the Spiritual Capacity makes a man of so contrary a nature to Human Laws, that they cannot settle and secure his Rights, exact his obedience, and punish his disobedience. The Clergy (with us) are one of the Three Estates, *Present State of England*, pag. 231. and are governed and protected by Human Laws, as well as the Laiety: surely he was dreaming of some Quaking Speaker who hath given himself a pretended Spiritual Capacity, and he perhaps may justly be said to be opposite to the Laws of the Land, and his claims of a contrary

trary nature, because he bids defiance to them, and will do what he doth in despite of them; but the regular Protestant Clergy are as obedient to the Law as any other Subjects, they are more the Ministers of Christ than the Laity, but not less under subjection than they. They were born Subjects, and their new Character of Spiritual Capacity doth not exempt them from being Members of the Common-wealth, and all that are such (whatever their Capacities be) are taken care for by the Laws of the Common-wealth, without making any alteration in their Capacities; so that if an Estate should pass through the hands of persons of all Capacities, and at last be legally settled on the Church of [A] doubtless the Law would be as ready to declare that the Rector of that Church in his Spiritual capacity, had as firm a Civil Right to that Estate, as any of those in Civil capacities who enjoyed it before, for the Law only takes notice of the equity of mens claims, not of the difference of their capacities. I know a Church on which 30 *l. per Annum*, was lately settled out of certain Lands, by the gift of the deceased Owner of those Lands; and how ridiculous would it be for the present Owner or Occupant of those Lands detaining this 30 *l. per Annum* to plead, that the Minister of that Church was a person in a Spiritual capacity, and so without changing his capacity, could have no benefit by the Temporal Laws; and if the detainer should add, that the Laws gave

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Civil Right only to men in Civil capacity, and therefore unless that Minister would acknowledge himself no more a Minister than a Lay-man, he could not expect that those Laws which asserted Lay-mens Civil Rights, should assert his Civil Right to this Estate? Would not this be hissed out of any Court of Justice? Yet this is the Stuff the Quakers applaud.

—— *Balbinum polypus Agne*  
*Delectat* —— Horat.

Pag. 342. The four next Pages of my former Book noted his absurd mistake of the Tenure of a *Lay-fée*, and gave reasons why the Temporal Right was added to the Spiritual, and why the Clergy are called *Spiritual Persons*, and withal taxed his disingenuous concealing my Friends Arguments: All this he passes by, under the covering of this false pretence, that it was railing and not reasoning; but indeed because the Accusations were too just, and the Reasons too firm to be denied or evaded: So that I will only admonish him, that the very Statute he cites in his first Book, pag. 333. gives one good reason why it was needful to add the Temporal Right to the Spiritual, viz. *Because divers evil disposed persons, &c. having no respect to their duty to Almighty God, against Right and Conscience did subtract their Tithes: viz. To restrain such evil disposed persons as our Quakers now are, who value not God's Laws,*

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nor will act according to Right and a good Conscience, unless it be for fear of Temporal punishments; and when Religion will not make men just, there the Magistrate must by Temporal Laws take care that God's Laws be observed, and punish those that break them. But as to the matter of Fact, (*viz. That Kings and Princes have given the Clergy a Civil Right to Tithes*) *T. E.* is willing to suppose it, (because 'tis too plain to be denied) only he will examine them by what Power they did this, since Christ had set out another maintenance for his Ministers, *Luke x. 7, 8. and Matth. x. 11. viz. Meat and Drink.* This Objection I did sufficiently answer before, shewing, it was a particular Mission, and a peculiar case, and that provision was no more intended for a perpetual rule, than the annexed directions about Coats and Staves. And whereas *T. E.* objects, *That Christ made no new provision for their maintenance in the second Mission, and therefore intended the first should stand:* I might as well argue he made none about Coats and Staves neither, and so that would stand too. But we have shewed Christ did ordain, that his Ministers should live of that which was given them in requital for the good News of the Gospel, *1 Cor. ix. 14.* and more than bare Meat and Drink; yea, Tithes and Lands were given them on this account, and therefore by their Master's order, they might receive and enjoy them; yea, Christ commanded Believers to give them a part of all their goods,

¶ *Quæ propter necessitatem recepta sunt, non debent in Argumentum trahi.* Reg. Pauli. Jur. conf.

goods, *Galat. vi. 6.* and they did obey that Precept, who gave them a Tenth part of all: wherefore Kings and Princes, in giving and settling Tithes, did act according to Christ's mind declared by St. *Paul*; and the very same Apostle had told them, the larger part of their goods they gave, the greater reward they should receive, *Galat. vi. 7, 8.* So that they having more good things for themselves than bare Meat and Drink, were sure that Jesus and St. *Paul* required them to give part of all, and a Tenth part at least; nor could they fear he would take it ill that they gave more than Meat and Drink, since they did it in obedience to his command, and relying on his promise of a larger reward. Indeed the Quaker being somewhat ashamed of his former sauciness, would now pretend, *He did not ask Kings by what power they altered the maintenance allotted by Christ*: But if the Reader will but look into his first Book, *pag. 319.* he will find he is enquiring, *What Power those Nursing Fathers* (i.e. Kings and Princes) *had to set out Tithes?* And he asks there, *where Christ gave any man such power?* that is, Kings or any others: adding presently, *Yet suppose the Magistrate had such a power; yet for any Magistrate to set out, &c.* And is not all this concerning Kings, and are not they included among those men whom he there (*Corah-like*) says, *Take too much upon them.* 'Tis a sign he is driven to a desperate shift, when he is forced to deny his own words: But though he would evade the arrogance of

asking Questions of Kings, yet he takes the boldness to charge them with the crime of altering the maintenance from what Christ intended: For he saith, *Christ appointed the maintenance to be free*; but he fancies a maintenance settled by Laws ceases to be free: To which I reply, That Christ himself hath made a Law for maintenance, *viz.* that it shall be part of all the Believers Goods. So that even in *T. E.*'s sense of that Law, the Christians were not left so free in this matter, as that they might give something or nothing, or some part of one kind of their goods, and none of another: and in *Irenaus* his opinion, the only freedom that Christ left them, was to give more than a Tenth; and therefore if Christian Princes did make Laws that none should give less, they did not take away any freedom that Christ left his people: Besides, if Christ had left maintenance free as to the proportion (as *T. E.* fancies he hath) yet I can prove by a parallel instance, that Christian Princes might justly, yea and piously too, fix the proportion thereof: For Christ obliges us to provide for the poor, but hath left this provision free as to the proportion, which is no where determined in Scripture; and yet our Magistrates have given power to certain persons to assess a fixed proportion out of every mans Estate who is of ability, and made Penal Laws to exact this fixed proportion: and dare *T. E.* say this is contrary to Gospel Liberty? Nay, is it not a just and pious Act?

And

And if a Quaker will pay this Assessment (which was left free by Christ, and is limited by Man) notwithstanding his dear Gospel Liberty, by the same reason he may pay his Tithes also. As for the Obligation which our Ancestors laid upon their Successors, it is no other method than is taken by all men, in things which they would have to continue without alteration: and since there was a settled Church, they thought it was fit it should have a settled maintenance, which it could not have, if it had been left in the power of every covetous and irreligious person to give what they pleased. And whereas *T. E.* pretends they should not have established what Christ revoked *Hebr. 7.* I have shewed that Christ is so far from revoking Tithes in that Chapter, that it affords many clear and strong Arguments for their continuance. And nothing is more absurd than his citing *Dr. Willet* to confirm this his pretence of those Tithes being Ceremonial, and revoked by Christ, about which we now dispute; for he thought, Tithes were no further repealed than they were Ceremonial; but the Doctor often declares, that Christian Magistrates may and ought to settle Tithes, and that in so doing they act agreeably to the Word of God, as I have shewed before: So that I conclude, There is nothing in these Humane Laws for Tithes contrary to the revealed Will of God in Scripture, and therefore they ought to be obeyed by all good Christians.

§. IV. **P**Ag. 348. Hitherto he hath been nibbling at the Laws which give us this Civil Right to Tithes, upon the account of their Authors acting Popishly, the Laws themselves being unjust, the persons on whom they settle them as being of different Capacities, and otherwise provided for by Christ; but we have shewed the folly and falshood of all these poor Evasions, and now he quarrels (to as little purpose) with the Donation, which was one of the grounds of those Laws. And first, he labours in this Section to quit himself from the just Charge of evading a serious Answer by a petty Caviil; and cannot do it without begging of his Reader to believe that he hath proved Tithes were given to an evil end, *viz.* to uphold Popery and Idolatry: which I have so fully disproved before, that I will not (as he doth) spend my time in repetitions: only I affirm he was justly taxed for that evasion, because he knew my Friend and I both meant (in the sense of the Parable) *viz.* That it is lawful for a man to do any thing that is just, with his own, to put it to any good use he pleases, and 'tis but an evasion to tell us, we cannot give our own to uses notoriously evil and confessedly Popish: for all this is nothing to the purpose, unless he could prove Tithes to have been as notoriously evil as whoring, or as Popish as the Idolatry of Image-worship, whereas Tithes are declared to be good by Patriarchs and Prophets, by God and Man,



Man, by Jews and Gentiles, by the Ancient Primitive, and the Modern Protestant Churches; and the ends of them were very pious, to support God's Worship, to remove his Judgments, to maintain his Ministers, to engage the Churches Prayers, and to free the Ministry from those cares which would interrupt their devout serving God; and these indeed are those Ends which *Ethelwolf* mentions in the very Charter where he settles Tithes: and if these be not good Ends, what are? As for the Clergy and Worship in *Ethelwolf's* days, they are already vindicated from being Idolatrous: And yet if Tithes (which the Donors intended to give for a support of a good Ministry and a right Worship) had been a while misplaced on such a Clergy and way of Worship as was not so, yet since now they are given to a Ministry and Worship that is not Idolatrous, now they are used to a good End however, and so his Objection ceases: So that I will only note, That he either ignorantly or maliciously slanders *Ethelwolf*, in taxing him with laying out his money in Beads, Crucifixes, *Agnus Dei's*, Pardons and Indulgences, there being no ancient Author of credit that mentions any such matter, and most of these things were not come into use in *Ethelwolf's* days; and to relieve a poor neighbouring Church in distress, or buy Lamps for those who wanted money to buy them for themselves, and yet could not see to read God's Word in their Churches without them, was money

laid out to a good end, whatever the Quaker fancies to the contrary: Much more then were his Tithes given to a good end, viz. to maintain the Worship of God in his own Church. God himself (that is represented by him in the Parable) hath assigned his own part of our Goods to this very end, and therefore to be sure this is a good end; and when Man imitates God in his Gift, and the end of his Gift too, surely he may ask the same Question with him in the Parable, *May I not do what I will with my own?* and then all T. E's pretences of spending upon evil things, and giving to evil ends, will appear to be meer Cavils and Evasions; and are far from proving the Donation so invalid, as that the Laws which were grounded upon it were not fit to remain in force.

s. V. **P** Ag. 352. If a bare private Donation be a good ground of Civil Right, as our Lawyers before declared, then doubtless a Donation confirmed by a single Act of Parliament is much firmer. But what can be a stronger or better ground of Civil Right than a Donation made by the general Consent of the whole Nation at first, and confirmed by so many Laws, and in so many Parliaments, wherein all the People by their Representatives have in every Age explicitly declared their Approbation thereof; and all the strength and validity that the Legislative Power can give to any Donation, is given

given to this of Tithes. *T. E.* it seems is sensible of the force of this Plea, and therefore he slipt over five Pages before, *viz.* pag. 95, 96, 97, 98, and 99. and a whole Section now, *viz.* Sect. 29. where this consent to, and legal ratification of the Donation of Tithes, was urged: But I must take his silence for consent to the matter of Fact, and then infer that no Lay-man can shew so many Laws, nor so allowed a Donation for his Civil Right as we have done for ours. The Quaker, it may be, dreams he can overthrow all this by a little thin Sophistry; *viz.* that neither *Ethelwolf*, nor all his People together, could give Tithes; that is, the Tenth part of the Profits of the Land for ever: adding, that it is (to his understanding) utterly repugnant to Reason, Justice, and Equity; yea, most ridiculous to affirm they had power to make such a Grant. This is his topping Argument of which he brags often, and which he repeats over and over; but it signifies nothing at all: For first, it is not very likely that *Ethelwolf*, and all his Council, and all our Kings and Parliaments almost ever since, yea, and all our Reverend Judges and skilful Lawyers, who have made, confirmed, and maintained this Grant, should be so destitute of Reason and Honesty, as through ignorance or design to do and declare that Act as wise, just, and good, which is so very unjust, unreasonable, and ridiculous: And 'tis an insolence scarce to be parallel'd, that a puiſne Quaker, who  
never

never studied the Law, shall dare to say, that cannot be done, which all our Lawyers say, may be done: Yea, and to say that is silly, unjust, and ridiculous, which they say is legal, wise, and just; *Unicuique in sua arte credendum*; Surely all the Lawyers opinions in England, in a matter of Law and Right, will pass with sober men for Authentick, however *T. E.*'s malice may have changed his understanding, that he doth not see it to be so. But let us hear his Arguments: He first lays down this Maxim, *Nemo plus juris ad alium transferre potest quam ipse haberet*: and because no man can give more than belongs to himself, therefore no man can grant the Tenth part of the Profits for ever, since the Profits for ever, did not belong to him, because they depend on the stock, labour, and cost of another. The Tenth part of the Land he confesses they might grant for ever, but not the Tenth part of the Profits: This is the sum of that Argument by which he hopes to prove all the givers, confirmers, and maintainers of Tithes to be Fools and Knaves; but the Argument is to all other mens understandings unreasonable and most ridiculous: For we will grant his Maxim, That no man can convey more Right than he hath, and infer that so much Right however he may give. Now *T. E.* confesses they had right to the Land, and might have granted any part of it for ever; and thence it will follow that they had right to the Profits also, and might have granted any part of

of them for ever: For he that granteth his Land, or any part of it, for ever, at the same time, and by the same Act, grants the Profits of that Land, or of that part of his Land, for ever; which is plain, in that the very Deeds mention, the granting of such and such Land *[with all its Profits, Emoluments, &c.]* Now if a man can give, grant, or sell the profits of his Land for ever, then by the Quakers own Maxim of *No man's transferring more Right than he hath*; it follows, the Granter had a Right to the Profits for ever: And since the Person to whom an Estate is granted acquires a Right by that grant to the Profits for ever, 'tis certain the Granter must have had that Right in himself first, or else he could not have transferred it. And doubtless 'tis most ridiculous to make such a distinction between the Land and the Profits as *T. E.* doth; for what is Land valuable for, but only for the Profits? What is considered but the Profits in either selling or letting Land? The Purchase money and the Rent is given in consideration of the Profits, and is more or less, as the Profits are more or less: For a fertile Acre will yield as much more Money or Rent as an Acre of less fruitful Land: So that 'tis certain the Right to Land for ever would signify nothing, but only for their Right to the Profits for ever which goes along with it; wherefore if *Ethelwolf*, and those of that Age, had a Right to their Land for ever, they had a Right to the Profits for ever also, and  
to



to whomsoever they had granted their Land for ever, to them they had granted the Profits for ever also: And since they had a right to the Profits of their Land for ever as well as to the Land it self, they might convey or grant any part of the Profits as well as any part of the Land: Or they might grant their Land, reserving a Tenth or other part of the Profits to be paid to the Clergy for ever. And when they had left their Land to their Sons thus charged with the payment of Tithe, those Sons could not pretend any right to that which was taken out for God and the Church by their Fathers: They could have no more right transferred to them than their Fathers had in them, when they did transfer the Land to them; but their Fathers had conveyed all their right to the Tenth part of the Profits unto the Clergy, before such transferring; and how many hands soever the Land hath passed through since, none of the Owners had any right in him to the Tenth part of the Profits, and so by *T. E's* Maxim he could convey no such right to any Successor, and no Owner now can fairly lay claim to Tithes, because he can claim no more than his Fathers enjoyed, which was the whole Land with Nine parts of the Profits.

Pag. 354. This power of granting some part of the Profits for ever, I did in my 30th and 38th Sections illustrate by a perpetual Rent-charge, to which I fitly compared Tithes, as Mr. *Selden* also doth, *History of Tithes*, pag. 73, 114, &c. not as though they were alike in all things [for then they would be the very same;] But because Tithes and perpetual Rent-charges agree in the matter about which we dispute: For a perpetual Rent-charge, is a grant of some certain part of the Profits of an Estate for ever, to which part of the Profits the succeeding Heirs or Occupants have no right, though they do procure this, as well as the rest of the Profits, by their labour, skill, and the improvement of their stock: So that an ancient Owner may alienate some part of the Profits of his Land for ever, and may oblige all succeeding Owners and Occupants to raise this part of the Profits out of their stock and labour, and pay it as that ancient Owner did direct: And if this can be done by the private Deed of one Subject, how much more may it be done by the general Consent of all the Owners in the Kingdom, and by thirty or forty Acts of Parliament and Publick Laws to confirm such a Grant? But further, if a perpetual Rent-charge be a reasonable and just Grant, then that ancient Owner who granted it, had a right to the Profits of his Estate for ever, or otherwise he could not reasonably and justly reserve some  
part

part of these Profits for ever, or ingage them to be paid to his Assigns for ever, and if the ancient Owners had a right to the Profits for ever, and could reserve any part of them, and engage them to be paid to their Assigns for ever, then they might reserve and assign over the Tenth part of the Profits for ever to the Clergy, and consequently the Grant of Tithes is neither unreasonable nor unjust: And indeed that which makes it reasonable and just for an ancient Owner to oblige all succeeding Owners and Occupants to pay a certain part of the Profits in money or in kind, is, because he (who might have sold the whole Land) leaves them his Land to raise the Profits out of, which Profits can no more be raised without Land, than without stock and pains, wherefore since his Land contributes towards the raising of these Profits, he may in consideration thereof justly claim a power to dispose of some part of those Profits either in kind or in money, and this Reason will hold in Tithes as well as Rent-charges, for thus far they do agree, and that which justifies the one justifies the other. But *T. E.* fancies he answers this Argument with objecting some differences between Tithes and Rent-charges, whereas those differences are nothing to the matter in dispute. First, He urges that a Rent-charge is laid upon the Land, and Tithes arise out of the Profits raised by the Occupants stock, and that for Non-payment of a Rent-charge the Land is forfeited, but not for

for Non-payment of Tithes. I reply, Rent-charges are due and payable out of the Profits only as well as Tithes; for Land that yields no profit, can neither secure nor pay a Rent-charge: and Tithes are charged on the Land as well as Rent-charges; whence that Maxim among our Lawyers, *All Land in England is originally charged with Tithes*: and these Phrases, *Lands charged with Tithes and discharged of them*. Besides, there are some Rent-charges, the Penalty for Non-payment whereof, is (not entring upon the Land, but) entring upon the stock, and out of it requiring satisfaction. Again, there are some Tithes which do not include the Husband-mans stock nor charge, as in the Tithe of Agistment, where the Parson puts in the Tenth Horse or Ox, &c. and eats that Grass which springs by God's Providence without the Husband-mans charge: this sort of Tithe therefore doth not lie upon the stock, pains, and charge of the Occupant; and the case is not much different in Tithe-hay, wood, fruit, &c. But let the Tithe or the Rent-charge be of what kind they will, 'tis certain they are both paid out of the Profits of the Land, which Land the ancient Owner left so charged; and though Rent-charges and Tithes be not secured the same way, the Penalty for neglect of the one being entring on the Land (only till they be reimbursed) or seizing the stock: the Penalty for the other being treble damages and costs of Sute; yet both Tithes and Rent-charges  
are

are well secured, so well that 'tis dangerous to detain either; and the different sort of security doth not make any difference in the justice of the payment: for a Debt secured by Bond may be as just a Debt as that which is secured by Mortgage; and so Tithes secured by Statute Law may be as just a payment as a Rent-charge secured by a private Deed. A man doth not forfeit his Land for ever (as *T. E.* mistakes) by Non-payment of Rent-charge, only he wants the profit of it till the Party be re-imburfed; and a man may in few yearstime, if he be sued at Law, lose the value of his Land in not paying Tithes for it, *Jam sumus ergo pares*: But indeed in all other differences between Tithes and Rent-charges; Tithes are the more reasonable and just payment of the two. Rent-charges cannot be paid out of the Profits till they be sold and turned into money, but Tithe is paid out of the Profits made ready upon the place only: Rent-charges (as the Quaker himself notes) are a certain sum of money, and must be paid to the full, whether the Profits of the Land in one year will do it or no: But Tithes are only a certain part of what God sends to grow or renew, if little, the Tithe is less, and it is not more unless the Crop be more also. In Rent-charges neither the present Owner nor Occupant do or can expect to receive any thing from those they pay to; but in Tithes both Owner and Occupant do receive (or may, if they please) instruction, exhortation, comfort



fort and reproof in order to their everlasting Salvation, from him they pay to, 1 Cor. ix. 11. thus far then Tithes are the more just and reasonable payment: And in other matters they agree. Were Rent-charges laid on by the right Owners? so were Tithes. Are they well secured by Law? so are Tithes. Doth the present Owner or Occupant receive his Land charged with a Rent-charge? so he doth with Tithes. Is the one a burden which the Law makes to descend with the Inheritance? so is the other. Has the Occupant or Owner no satisfaction for his pains and charges in raising or paying Tithes? (which T. E. asserts) 'tis certain he hath no satisfaction for raising and paying a Rent-charge. Is the Purchaser and Tenant abated proportionably in consideration of a Rent-charge? so I shall prove they are in consideration of Tithes. So that the Quaker in yielding Rent-charges are just and reasonable, doth by fair and firm consequence grant Tithes to be so also. Having therefore proved that, I shall only remark the Quakers fallshood in saying, our Ancestors took great care to secure Rent-charges by legal settlements, but made no provision for payment of Tithes but by Ecclesiastical censures, for some hundred of years after they were given: and thence he would insinuate, they intended Tithes should depend upon Devotion. All which is monstrously untrue, for there are Laws made by our Kings and Parliaments to enjoin the true payment of Tithes, and Penalties to be inflicted by the

Civil Magistrate upon the breakers of those Laws within one hundred years after *Ethelwolfe's* Donation, and five hundred years elder than any Law which he can find for Rent-charges; if the Suits for Tithes were after the Conquest restrained to the Court-Christian, it was because, in those Ages, that Court had more power than any other, and was the surest and speediest way for recovering them. And our Ancestors were so far from intending Tithes should depend on the Devotion of their Successors, that the very Donation it self, is expressly said (by the Recorders of it) to be *for a Patrimony*, and *for a Dowry to the Church*; and they bound their Heirs under grievous Curses and severe Penalties to pay Tithes which undeniably shew, they intended not to leave them to the good will of their Posterity. Finally we see that for Ancient Owners to grant a part of the Profits for ever, is a fact done frequently and allowed as wise, just, and reasonable by all sorts of men, yea confessed (under the name and in the case of Rent-charges) by the Quaker himself. And therefore for him to exclaim against this grant of part of the profits for ever, to argue it cannot be done, or ought not to be done, and is an unreasonable, unjust, and most ridiculous thing; is such a profession against matter of Fact, as signifies nothing at all, unless *T. E.* be the only wise and reasonable man in the World, unless he alone is to hold the Scales of Justice, and determine of right and wrong; for herein his Protestation

is contrary to the allowed practice of all mankind. I gave divers other instances of such kind of grants, with reasons to prove the Equity of them, from pag. 166. to pag. 171. the greatest part of which my Adversary passeth by, so that I shall give some few more instances of the granting a part of the profits in Specie, and then conclude this Section. *Joseph* (whose wisdom and integrity *T. E.* dare not question) did bind the *Egyptians* to Till the Land, and out of the profits procured by their cost, pains, &c. to give the King a Fifth part (which is a double Tithe) in Specie, nor was this only for his own time, but he made it a standing and perpetual Law, with the consent of the people of that Age to bind their Posterity, *Gen. xlvii. 26.* although these profits would not arise without the stock, labour, and cost of those who were to occupy the Land in the next Generation; yet, surely *T. E.* will not say this was unreasonable or ridiculous. Again, I know a Gentleman, who by way of a Free-Rent out of his Estate, paies to the chief Lord (my Neighbour) a certain number of Quarters of Barley every year; and of old most of the Rents of *England* were a part of the profits in Specie, and so they are still in many parts of *Europe*. Finally our Colledges have divers Lands, the Occupiers whereof do pay so many Quarters of Whet or Barley every year produced by their stock, pains, and charge; and a Statute Law declares this to be just and fitting, 18 *Eliz. cap. 6.* which

shews that the Owners of the Land may reserve a part of the profits in Specie for ever, without any injustice; and if they may reserve them to their own use, and the use of their Successors or Heirs for ever, they may grant them to others also, if they be Lords in Fee of the Land out of which these profits are by them granted.

s. 6. **P**Ag. 359. When I charge *T. E.* with censuring Kings, Parliaments, Judges, and Lawyers; yea, Mr. *Selden* himself, *Hist. Tithes*, p. 129, &c. (who have made or allowed this Grant of part of the Profits) as unreasonable, unjust and ridiculous People; he quietly takes to it: and it may be 'tis no sin in the Quakers unmannerly Religion, to speak evil of Dignities, and judge those that are their Superiours and Betters. But he cannot digest my charge of Blasphemy, nor will he yield, that what he said in disparagement of this Grant of a Tenth part of the profits for ever, did reflect upon Almighty God, though he really made such a Grant as this, which *T. E.* calls unreasonable, unjust, and ridiculous: for he now pretends, he only said it was unreasonable, unjust, and ridiculous for any Man to claim the power of Granting such part of the profits for ever: But 'tis like, this evasion was devised since my Objection, for his former Discourse was directly bent, to prove the thing unjust, unreasonable and ridiculous in it self, without any consideration of the Person doing it, and that (I am sure) is no less than Blasphemy; nor will it wholly

wholly clear him to say, that it is only so  
 evil and foolish in men to make this Grant,  
 because those men who made this Grant,  
 were induced to make it by God's Example,  
 never dreaming of any bold Quakers, who  
 would censure them for those Acts wherein  
 they imitated him who is equity it self; and  
 indeed to censure such Imitation, is to reflect  
 upon God himself, nor doth it help him to  
 plead God might do this, because *He had a*  
*Right to the sweat and pains, charge and care*  
*of all the Owners of Canaan, as he gave them*  
*their Land, Life, Health, and Strength, as*  
*they received all from him, and owed all to him.*  
 For this was not peculiar to the Jews, God  
 hath the same right to our sweat, pains, &c.  
 as he had to theirs; he gives us our Land and  
 Life, &c. as well as he gave them theirs;  
 we receive all from him, as well as they:  
 for sure he will not say they only were be-  
 holding to Providence. This reason con-  
 tinues still, and therefore it is as just and  
 reasonable for God to require Tithes of us,  
 as of the Jews, and we have proved in the  
 first part, he doth so; and *Erbewolfe* to be sure  
 was of that Opinion; yea, *T. E.* must Grant  
 (even while he obstinately denies that God  
 doth now require Tithes.) that he reasona-  
 bly and justly might require them because  
 those reasons, which he gives to prove it just  
 and reasonable for God to require Tithes of  
 the Jews, are still in force. Well then *Erbel-*  
*wolfe* knowing God might requirer Tithes  
 now (for we will go no higher here) and  
 considering that all Owners in *England*,



through all Generations were like to receive all their Land and profits too, with the Life, Health, and Strength, by which they were enabled to procure and enjoy them; wisely, justly, and reasonably re-inforced so much of Gods Law by this Donation, as did depend upon this continuing reason; and was never repealed. And he that censures such a Law of man as is made in Imitation of the Law of God, and grounded on the same reason with it, he doth Blaspheme the Law of God. Nor is there any fear that the allowing *Hereticks* power to follow Gods Example in making this Law for Tithes, would allow Princes power to set up Jewish Ceremonies, for the reasons on which the Laws for *Levites* Ceremonies were grounded, are now ceased; and yet as it would have been blasphemous to say any of those Ceremonies were unreasonable and ridiculous, while the reasons continued, for which God did institute them; so it can be little less to say for Tithes, since this very reason which proves it was once a just Command, is still in force, and will be so for ever. Nor will the Priests (as the *Levites*) be against the King's imitating Gods pattern in the matter (of the *Levites* having no Inheritance among the People). For God did not take any Land from the *Levites* of which he found them possessors. And Secondly, God made so liberal a provision for them by Tithes, Oblations, Cities, and Shubbs, that they needed no Country lying together as the other Tribes had, being

being the most liberally and nobly provided for of all; and if any King will do as much for the Clergy, as God did for the *Levites*, no question they will count it a very good Act. But this is a digression, wherefore we return to the Point, and conclude, that in this Case, where *Ethelwold's* Act was an Imitation of what God had done, and was grounded upon the same reason that God's Act was grounded; there we cannot censure his Act as unreasonable, unjust, or ridiculous without Blasphemy against the Divine Majesty; Thus the Quakers prime Argument makes him appear a most unjust, unreasonable, and ridiculous Person.

6. 7. **PAG. 364.** His next Cavil against the Donation, was that the consideration upon which Tithes were given, is now taken away. To this I replied before in my 21<sup>st</sup> p. 174, 175, 176, 177. showing, 1. That the meriting remission by good works in the Popish sense, was not believed in that Age, and so could not be the consideration. 2. That in the sense they meant it, it was a good consideration, and is not taken away. 3. That however it being no condition of the Donation, but at most a motive inciting thereto, the Donation is not made void, although this consideration were taken away. To this last *T. E.* replies nothing at all, and to the two former nothing to the purpose, for he now begs in vain of intelligent Readers to believe that

the Saxons were Papists in point of Merits, it being fully cleared both in my former Book and this, that this charge is unjust, and that all their expressions, founding that way, are innocent and agreeable to Scripture, and the sayings of the most Orthodox Fathers. He sings indeed his old Song over again about the Church, then being a Popish Church, for confutation whereof I refer the Reader to its proper place. And only observe that in *Ethelwolf's* time, there was a true visible Church in *England*, a Ministry not teaching any damnable Error, by whose Preaching and Prayers, &c. Salvation might be obtained; and it was for the Maintenance of this Church and Ministry that Tithes were given; and this consideration was then good, and is so now; for we have a visible Church still, we have Souls to save, and Sins to be remitted, and we have Ministers to whom the Ministry of that reconciliation (which Christ purchased) is committed; and by whose Preaching and Prayers, Salvation may be obtained, and therefore to give Tithes to uphold this Ministry, is a good consideration still, and so our Law-givers (who are Judges of the goodness of this consideration) did believe, and therefore even those that were Protestants do confirm and maintain this Gift, as being grounded on that which is a good consideration now: One touch he gives about the praying to Saints, in which the very words of the Charter confute him, which are (as the three prin-

principal Relators tell us) *That they* (i. e. the Clergy) *may so much the more diligently, and without ceasing Pour out their Prayers to God for us.* Ingulph. Mahmf. M. Westm. Observe it is not *to the Saints*, but *to God*: And was this an evil consideration that they might pray to God for the King and the Kingdom? None will say so but such as wish the ruin of both. I note also, that he cunningly and fallaciously inserts the two hundred Marks *per Annum* for the Lamps at Rome, among the pious uses to which Tithes were given, when that was a distinct gift at another time: But I must not ramble after him, but content myself at present, in that I have made it plain that the considerations on which Tithes were given, are good and in force now. And yet, if they were as bad as he would make them, being no conditions or proviso's, upon failing of which the Donation should have been void, but meer Motives to incite the Donors, the Donation ought to stand, even though they should fail. Noting withal that the failing of these considerations now, doth not hurt the Donation; for 'tis not we but our Ancestors that gave Tithes; and since they did believe them good considerations, that made their Donation right and firm at first, and since they made the Donation upon good considerations then, it stands so still. There are many persons now in *England* that enjoy Estates, and other Priviledges, by Donation made upon considerations that were good  
when

when the Donations were made, and such as the Donors thought good considerations, which are now wholly taken away, and yet they will think *T. E.* very unjust, if he should take away that which was so given them, the Endowments of Hospitals, and the Charters of Cities; yea, *Magna Charta* it self might suffer by this kind of Logick; only the Priests would gain by one instance very considerably, viz. The Tithes of all Land belonging to the *Cistercian* Monks; for the consideration on which this Priviledge was given them, is now most certainly taken away, and *T. E.* may do well to see if he can perswade them who enjoy this Priviledge now to quit it, and pay their Tithes intire.

s. 8. **PAG. 369.** If my Adversary had not forgot he is arguing against the Clergys Civil Right to Tithes, methinks he should not have persisted in so absurd an Argument, that we have no such right to them now, *Because they were given to a Popish Clergy*: which if it could be proved (as 'tis evident it cannot), would no more hurt our Civil Right to them, now that the Law hath settled them on the Protestant Clergy; than it hurts *Magna Charta* that it was made to Popish Subjects; or the Charters of Cities, that they were made to Popish Citizens; or the Donations to old Hospitals and Alms-houses, that they were made to Popish



with poor, and this last is also a Religious Donation. This might become a Jesuites' mouth to justify their plotting to strip the Protestants of all, as having no right to any thing they possess, but it sounds odiously in the mouth of a pretended Protestant. Surely T. E. knows that the alteration of mens opinion, doth not take away their Civil Right; if so, T. E. hath forfeited his Civil Right, if he had any, by turning Quaker; and all those whose Ancestors were Papists when their Estates were settled, should now lose their Titles in becoming Protestants. But we need not further expose the wretched consequences of this Argument, because it is already proved that *Ethelwulf's* Clergy were no Papists, and T. E. despairing to make it out by any thing of his own, would pervert two passages of my Friends and mine to insinuate that we own they were Popish, but all in vain. My Friend indeed did say that most of the present Superstitions of Popery had their Original between the year 700. and the year 1400. But then it was the Midnight of that Period, which (he said) bred and nursed up Invocation of Saints, Worship of Images, &c. that is according to my Friends account, about the year 1050, which is near two hundred years after this Donation. And if some Superstitions had begun about the beginning of this time, yet they were but in their infancy at the time of the Donation, held by few, and those private persons not received in the Church,

Church, nor imposed as Articles of Faith, so that they could not justly denominate the then Church or Clergy, Popish; especially since to the honour both of the old *Saxon* and present *English* Church, we have shew'd they both agreed in the most principal Doctrines of the pure and Primitive Church, from which *Rome* hath now so grossly departed. Again, he saith, that I confess, *The benefit of this Donation hath been enjoyed for eight hundred years by those to whom it was made*; and yet all the time of Popery it was enjoyed by a Popish Clergy, and if it was enjoyed by them to whom it was made all the while, then it must needs be made to a Popish Clergy; of this poor fallacy he is so conceited as that he Triumphs and Crows, *This is unavoidable*; but I see nothing in it that I should fear or avoid, for I did not consider those to whom the Donation was made under any other Notion than that of their Office, as Clergy-men and Ministers publickly allowed, nor did I say they were of the same Opinion all the while; and I may say of an Hospital Founded in King *Stephen's* daies that the Donation hath been enjoyed five Hundred years by them to whom it was made, *i. e.* the Poor, though some of them were Papists and others Protestants, yet all were Poor, and as such only I consider them in this Expression: So here the Donation was made to the Clergy, and the Clergy hath enjoyed it this eight hundred years; and 'tis a ridiculous inference to say, That be-

because they were Papists some part of the eight hundred years; therefore they were so when the Donation was made; at that rate I might prove *Eshelwolfe's* Clergy Protestants, and because the Clergy were Protestants some part of the eight hundred years, shall I thence infer they were Protestants to whom the Donation was made? My Cause neither needs nor desires such foppery; Tithes were intended to an Orthodox Clergy, and to such (in the main) they were given, and by those of that Function they have been enjoyed ever since. The Clergy were indeed corrupted for some time in the middle of this eight hundred years, but they are now reformed again, and have been near two hundred years, and our Law-givers and Princes have declared that this Reformed Ministry have a right to that which was first given to a sound Clergy, and then a while enjoyed by a corrupt Clergy, and now restored to a sound Clergy again: But they were Clergy all the time, and that justifies my Expression; and not only cuts off all those malicious consequences that the Quaker would draw from it; but shews what base Artifices *T.E.* is forced to use, to make his ignorant Quakers believe that *Eshelwolfe's* Clergy were as much a Popish Clergy as those in Queen *Mary's* daies, a thing which he himself contradicts elsewhere, when he grants that Popery came in by degrees. And yet after all this wretched Sophistry, if they to whom the Donation was made, had been

as

as gross Papists as his vile slanders would represent them, yet that would not take away their Civil Right to Tithes, while the Laws of the Land (the Arbiters of Civil Right) declared Tithes did belong to them, even as *River*, but now affirmed the present Clergy in Popish Countries have a Civil Right to the Tithes there, much less could it hurt our Civil Right now, since the Donation was not made to them as Popish but as Clergy, and since the Legislative Power hath declared our Civil Right to them, and owns us alone as the true Ministers of the Church of *England*, which sufficiently baffles all his fallacious arguings; wherefore let me observe that *T. E.* is here again working Journey-work for the Popish Priests according to his poor Talent labouring to prove Tithes due to them by the first Donation, and a prescription of six hundred years, against the time that they be enabled to make their claim by the help of their good Friends the Quakers, who, as I noted in my former Book, hold some of the worst & most dangerous Opinions of *Rome*, but my Adversary was so busie in Weaving this Spiders Web, that he had no leisure to vindicate his Friends, or else his sense of their guilt deprived him of all power to reply.

§. 9. **P**Ag. 375. Another pretence to take away the Clergys Civil Right to Tithes, is, *That they neither do any thing now, nor have any thing to do for the People that can deserve so great a compensation*; To which I need reply no more, than that it is enough to secure their Civil Right to Tithes, if they do so much as the Laws of the Land, make the condition of their enjoying them; But I know they generally do much more than any Human Laws require of them; their Youth and their Portions are spent in fitting them for their great work, and their time, their parts and strength laid out in it: so that very many of them do contract incurable Diseases, and shorten their Lives by the excessive pains they take; and is this nothing? I instanced before in the various Offices we perform; but *T. E.* objects, we are paid for most of them besides. He cannot deny but that our Prayers and Preaching, the constant and most painful parts of our Office, have no other compensation but Tithes; and for those Offices in extraordinary, we do them for many that pay us no Tithes at all, and do them *gratis* for the Poor, and the Fees (which were free Oblations at first, by long custom become legal Dues) if we should take them, are so small, as Two <sup>now</sup> at *Easter*, One <sup>now</sup> for Baptizing, &c. that men of generous Education (as most of the Clergy are) would not do the work  
for



for ten times so much Money, if they were to be hired to it, and were not obliged in conscience thereunto. And let it be observed, that it is a great Argument of the Clergys moderation, in that they have not altered these Fees for some Centuries, when all other sorts of men in the Nation have advanced their Fees in great proportions: and withal that these payments are so very mean, that in a Parish containing Five thousand Communicants, a poor Vicar that hath little left but these Fees (which are almost his whole compensation) can scarce get Clothes to his back; and Bread for his Family: which shews how little occasion there was for T. E's representing this matter so odiously; but he is near the bottom of his Arguments about taking away Tithes from the present Clergy, and begins to run thick; and growing angry, that all his Reasonings will not effect his design, he falls to downright Railing and Slandering, in so gross a manner, that it neither needs nor deserves an answer: Only one Passage or two I must not slip: First, his charging me with over-looking an old baffled Argument of his taken from his abused interpretation of my Friends words, viz. *That our only work being to Explain and Apply the written Word of God*; this cannot deserve so great a Compensation, because my Friend somewhere else saies, *That all things necessary to Salvation are plainly laid down in Scripture*: This is a paltry patch at best, for T. E. to jumble two single Sentences,

tences spoken at divers times, and on several occasions, and wrest them from the Authors sense to extort one poor kind of Argument from them; yet, he speaks falsely to say, I over-looked it here, for in this very Page I shewed, that it was an Argument that held much better against the Quakers Speakers than against us, for they can only teach their People that which they think they know already, because all Quakers pretend to be taught of God, but our People own their need of Ministers teaching; and I am sure T. E. commits the crime he charges me with, and quite over-looks this (a). And if the Reader please to look back to his 112 Page, he will find this very man arguing, that a Ministry may be very serviceable even to those who knew the Truth already, by exhorting them to keep to it, and putting them in mind of their Duty. So then this Applying what was plain before, is something for a Ministry to do when it serves his Turn, but now (when it makes against him) it is nothing: What Conscience, or sense of Honesty is there in such a Writer? Secondly, When I reckon confuting Hereticks, and shewing the folly of such Scribblers as T. E. among the things which the present Clergy do; he is so intoxicated with Self-conceit, that he feels none of those Arguments that do expose him, and fancies himself so mighty that there needs not only a Cabal but a Convocation to confute him, who the Reader sees is not a match (in point

(a) *Mare vulgi, sum quisque flagitium alius objectantes. Tacit.*

of Learning) for an expert School-boy. And indeed his dreaming that any of the Clergy made the confuting of him the subject of their discourse in their accidental Meetings, puts me in mind of the ridiculous Souldier in the old Comedians, who seeing some whisper (that indeed were deriding him) strutted about and said, *I will appear great, for these men are admiring me!* I am sure I never was in any company of Clergy-men that admired any thing but his confidence; for all I have met with, saw his ignorance through that thin Veil of his Craft, which only hides him from his short-sighted Quakers. But as to his confutation, the Clergy have their Tithes for their constant Duty, and yet they are really very serviceable to the Nation, who will give themselves the trouble of Checking such insolent abuses of the Established Religion and Laws of England, as his Book abounds withal.

§. 10. **PAG. 379.** Hitherto the Quaker hath in vain attempted to prove, That the Laws of the Land cannot, or ought not, to give the present Clergy any Civil Right to Tithes, not sparing to suggest that such Laws are unjust, and all along insinuating that the payment is unreasonable; yea, in his first Book he expressly calls them an *Oppression*, p. 331. And when I seriously re-  
proved this abuse of our Laws and Lawgivers, he calls it a piece of Mirth, and so  
passes

passes it. But now we should come to consider the particular Laws for Tithes, and the sense of them; *F. E.* begins to make Apologies, saying, *It is no wonder if he be defective in point of Laws, having never been educated in that Study.* I may add, nor in the Study of Divinity neither, and therefore it is no wonder that he is defective in both; the only wonder is, that he should write so confidently of that which he understands not, and so audaciously contradict, and insolently censure both Lawyers and Divines; that he should brag he had removed Positive Laws, who doth neither know what they are, nor what they mean: this may stand for a wonder. The first Parliament Law he could find among our Statutes for the payment of Tithes, was the 27 of *Hen. 8.* But I had told him in my former Book, where to find several Ancienter Laws for this payment, pag. 97, 98. which were made by our *Saxon* Kings in their Great Councils, which we call Parliaments, and which were so far from being Repealed, that all those old Laws, and this for Tithes among the rest, were collected into one Body by King *Edward the Confessor*; and these were those Laws which our Kings since the Conquest did generally swear to maintain; and the sum of these Laws of King *Edward the Confessor* is *Magna Charta*, that great Foundation of the Rights, Properties, and Privileges of all the Subjects of *England*, Clergy as well as Laity, which Charter de-

servedly stands foremost among our Statute Laws, being it confirms all the preceding good Laws of *England*, and is a ground for all that follow; a Charter made most solemnly with dreadful Curses on the Infringers. *Flet. l. 2. cap. 42. Speed l. 9. c. 9. §. 82.* And confirmed as my Lord Coke observes in thirty two Parliaments since, *Proem. ad Institut. l. 2.* And the very first Article of this Charter, and first Law of our Statute Book is, *That the Church of England shall be free, and have all her whole Rights and Liberties inviolable.* Now undoubtedly when this Charter was made, the Clergy had a Civil Right to Tithes at least, by Donation, Possession, Prescription, and many Positive Laws. And my Lord Coke saith this Law provides, *That all Ecclesiastical Persons shall enjoy all their lawful Jurisdiction, and other their Rights, without any diminution or subtraction.* *Instit. 2. p. 3.* This therefore is a Law to prohibit detaining or taking away of Tithes, and to continue the payment (then in use) forever, since now they cannot be taken away without the Breach of *Magna Charta*, and therefore this one Law is as good as a thousand. As for the Statutes of *Henry the Eighth*, they were not made till that King and his Parliament had renounced the main Pillar of Popery, viz. the Pope's Supremacy, which was the first step of the Reformation, and that which shortly brought in the Protestant Religion: But if he and they were Papists when they made this Law,



so was Hen. 3. when he made *Magna Charta*, yet surely T. E. dares not say, that *Magna Charta*, and all Acts of Parliament made by Papists are void, especially not this for Tithes which was grounded on a Primitive and Protestant Doctrine (as is proved) and was repeated and improved by a Protestant King and Parliament afterwards; and not only so, but those thirty two Commissioners empowered by Act of Parliament to reform the Laws of the Church, who finished not that Work till Queen *Elizabeth's* time, the Compilers of which were eight Bishops, eight Divines, eight Civilians, and eight Common-Lawyers, all Protestants; these in that Title, *De decimis*, have fully declared that the Clergies Right to Tithes is a Protestant Opinion, *Reform. Leg. Eccles. pag. 215. Lond. 1640.* In fine, there are Laws enough, and those strong enough to declare (as an Author of great Judgment in these matters speaks) *That if this of Tithes be not a debt to the receiver, a yearly profit issuing out of the Land to anothers use by Law, nothing is due here in England, Civil R. of Tithes, pag. 308.* So that we have already gained this Point, *That Tithes are due to the present Clergy, by Laws now in force, which give them a Civil Right to them.*

S. II. **P**Ag. 383. I went on to consider the sense of the Laws for Tithes, affirming that as they are now settled, they are a Free-hold to the Clergy. But the Quaker falls charges me with calling him Heretick for questioning this, for it was in the Page before that I likened him to the Hereticks in St. Peter, and St. Jude for despising Dominions, and speaking evil of Dignities, and things he doth not understand. I do indeed deservedly tax his ignorance and confidence, for denying and disputing against the concurrent Judgment of our Judges and Lawyers in a Point of Law, but I know every *Ignoramus* is not an Heretick. Now when I have produced my proofs out of those that are learned in the Laws, to demonstrate Tithes are a Free-hold: he thinks to evade them all by pretending, *He doth not profess himself a Lawyer*. This had been a good reason why he should not have attacked the Positive Laws; but we see he is not so very nice of stepping into other mens Professions, but that he would have ventured on a piece of Law, if he had any to oppose my clear proofs; and the true reason of his silence, is not (that vertue so rarely found among Quakers) Modesty; but want of somewhat plausible enough to object: So that I will refer the Reader to my 184 page, where I have plainly proved, that the Definition of a Free-hold doth exactly agree to Tithes, and that the Opinion of our Lawyers, and

and practice of our Laws declare them so to be, and this will bring in another branch of *Magna Charta* to secure the Clergies right to Tithes, viz. Chap. 29. *That none shall be disseized of his Freehold, but by the judgment of his Peers, or by the Law of the Land.* Now though the matter be so plain, yet T. E. must seem to say something, and therefore he charges me with confounding the claims of the Priest and the Impropriator, alledging that the clause of the Statute, where mention is made of a Free-hold in Tithes, hath relation to the Impropriators: Which I never denied, nor did I bring in that passage to any other intent than to shew, *That Tithes may be a Free-hold*; and if they may be so in Temporal hands, there is no reason why they should not be so in Ecclesiastical, for that and all other Statutes do declare the one to have as good Right to them as the other, and prescribe the same methods of recovery to the Clergy that they do to the Laiety, and the Penalties for detaining these dues from the one, are as great as for detaining them from the other, which shews the Laws thought their Rights equal, and that both the Priest and Impropriator had a Free-hold in their Tithes, and these words, *Free-hold in Tithes made Temporal*, &c. seem to suppose that Spiritual Persons had a Free-hold in them also. Only since there is (as I noted before) two sorts of Free-holds, one that is holden unto a man and his heirs, another for term of Life, the

Laity (by the Laws now in force) have the first sort of Free-hold, and the Clergy have the second; for Tithes are not less a Free-hold to the Clergy, because they cannot make Joyntures to their Wives, nor settlements to their Heirs out of them, because none that is a Free-holder only for term of Life can do that, and yet he is as truly a Free-holder that holds for term of life, as he that holds to him and his Heirs: So that the Quaker mistakes my intent, in bringing in the Case of that Countess, whose Dowry in Tithes was counted a Free-hold, for that was mentioned, to shew that they who have but a Tenure in Dower (which is but such a life Estate in Tithes as the Clergy have) the Law judges these to have a Free-hold in them; and the Case of younger Brothers who have only Life Estates in Tithes, is the very same: so that my Argument runs thus, If the Clergy have as good a Tenure in Tithes as any Lay persons who hold them only for term of life, and those of the Laity who hold them no otherwise, have a Free-hold in them; then the Clergy have so also: which being (as I have shewed) the sense of our Laws and Lawyers, it follows that they may, by vertue of this Free-hold in Tithes, vote for Burgesses in Parliament as well as any other Free-holders that hold only for term of life, and not only Ancient custom (which is as strong as Law in *England*) confirms this Right of Voting, but reason also pleads for it, in regard these Burgesses do

do propose Laws that concern the Clergy as well as the Laiety.

Pag. 387. But it seems T. E. doth not think these Laws make for him, and therefore he begins to disparage them with the old false charge of being grounded not on a Primitive and Protestant Doctrine, but a Popish, viz. that *Tithes were due to God and holy Church*: which Doctrine I have justified to be both Primitive and Protestant by clear Testimonies of Primitive Fathers and Protestant Divines, and Mr. Selden will tell him that the Popes principal Emissaries and Agents the Friars, Preached down this Doctrine, and agreed with *Wickliff*, in holding Tithes to be pure Alms to be disposed at the peoples pleasure. *Hist. of Tithes*, c. 7. s. 4. p. 165. and pag. 166. These Popish Friars taught the People they were not bound to pay them by any Law of God: which is a better proof that it was not a Popish Doctrine, than the *Bohemians* taking away Tithes, can be that it was not a Protestant Doctrine, for 'tis more certain the Fryars were Papists, than that the *Bohemians* were Protestants, T. E. can no otherwise prove them Protestants than by Mr. Foxe's calling them so, and 'tis certain they lived long before the name of Protestant was heard of in the World, nor can they be called by that name without a gross *Solacism* in Chronology. Besides divers that were certainly Protestants did retain Tithes, and hold them due



due to God and Holy Church, and these being far more in number, and more Orthodox in Judgment, do shew it was a Protestant as well as a Primitive Doctrine, on which these Statutes were grounded. And these Statutes did find and do suppose we had an Antecedent spiritual right, but because men void of the fear of God would not be directed by the Spiritual Law, being only in awe of Temporal punishments, therefore (as the very Statutes declare) they appoint Tithes to be paid under such Temporal penalties as might terrifie those from detaining them who valued no other punishments: They did not take away our Spiritual Rights, but secured them to us by another Right, even such an one as Temporal Laws can only give, *i. e. a Civil Right*: for whatever a Temporal Law commands to be paid to any man under Temporal penalties, he hath a Civil Right thereto, and if it were due to him under any other consideration before, That consideration is not taken away by this supervening Law. And we need not claim Tithes only in that Notion wherein the Statutes suppose them due, but in that Notion wherein they make them due also, the one being the reason of the other, and both these Titles being very consistent with one another, as I proved before, by the instance of a Father, who hath a right to be maintained by his Son *Jure Divino*, and yet by a Deed of settlement he hath also a Right to the same *Jure Humano*; and if the said Deed did

did express it, as the consideration why the Son settled this Maintenance on his Father, viz. because it was due to him by Gods Law; nevertheless the Father might still claim it as a due to him (now this Deed is superadded) *Jure Humano*; he hath both a Divine and a Human Right also. And this instance is the more proper, because Ministers are called Fathers, not (as the Quaker speaks) through a mistake committed by darkness and ignorance, for St. Paul so styles himself, 1 Cor. iv. 15. yea, *The Scripture counts him our Father, who instructs us in the Law of God.* Mos. Gerund. in 2 Reg. xi. 2. and St. Hierom calls the Bishops, *The Father of our Souls.* Epist. ad Nepot. But the Quakers new Light hath taught him to count St. Paul and every body else in the dark but himself, who yet is so ignorant that he cannot understand how a man can have a Temporal or Civil Right to a Spiritual profit, whereas let the thing be what it will, if a Temporal Law declare it shall be paid to me, and appoint Penalties for those that detain it from me, That Law gives me a Civil Right to it: As in the Case of the King's Supremacy, and his Tithes, the one is a Spiritual Right, and the other a Spiritual profit, and yet those Acts of Parliament that settle them on the King, give him a Civil Right to them. And suppose a Pious person by his Deed shall settle 20 *l. per Annum* on the Minister of such a Parish for ever: this is a Spiritual profit, and yet T.E. surely

surely will grant, that by vertue of that deed the Person hath a Civil Right to it ; and for the jumble he makes about the words in the Statute, *Tithes made Temporal* : had he read on, he might have found the meaning of that Phrase, *viz.* — *or admitted to be, abide, and go to, or in Temporal hands, and Lay-uses and profits* : which words expound the former, and teach us that Tithes are said to be made Temporal, when they are possessed by Temporal Persons , and employed to Lay-uses: But he knows that Statute declares, That Ecclesiastical persons shall have Tithes paid to them as well as Lay-men, and by vertue of that Statute the Priest may claim Tithes as well as the Impropiator, and therefore that Temporal Law gives the Priest a Temporal Right to them. But this is one of the Quakers old fallacies by which he would cut off the Priests from all benefit by the Laws of the Land, a thing that St. Ambrose cries out of as a most unjust absurd project ; *Shall the Common-Law* (saith he) *be shut to no other Subjects but to the Clergy alone, who pray for all other men, and have an Office laid upon them for the good of all?* Ambr. ad Valentin. Aug. l. 2. Ep. 12.

§. 12. PAg. 390. I have read of a *Dacian* Prince, who being straitly Besieged, and having scarce any men left alive to defend his City, stuffed the Skins of those which his Enemies had slain, and set them up against the Wall, as if they had stood to defend them, only to abuse the Besiegers into a belief that he had yet many Forces remaining: And *T. E.* is in the same streight, and uses the same trick in repeating his old baffled Arguments, which since I know to be but stuffed Skins, he must not be angry that I do not spend my Artillery on them. I have sufficiently proved that the Owners have a right to the profits for ever, and may grant any part of them, and therefore I will not be so prodigal of my own and my Readers time as to repeat my Answers so often as he vainly repeats his poor Objections. But shall consider his next Question, *Whether the Property of Tithes be vested in the Person of the Priest or the Office?* Which yet I might decline to Answer, because he will not tell me, whether the property to an Estate entailed on the *Elwoods* Family, be vested in the *Elwood* or the man? But my Friend and I agree, that it is the man qualified by the Office, in whom the Property is vested during his Life, and *T. E.* cannot fairly suppose, that by that Phrase [ *during Life* ] I intended to exclude a possibility of forfeiting that right by crimes committed; for when we say a Lay-man is vested

vested in an Estate during his Life, will any but a cavilling Quaker say, the property is not vested in him during Life, because he may forfeit it by crimes before he be naturally dead. We are now speaking of legal right, and he that is deprived for crimes is *Mortuus in Lege*. I said, *The Property was vested in the Person who sustained that Office*; but if he be deprived, he doth not sustain that Office, and according to my description he loses his Property, when he is either civilly or naturally dead: But while the Person lives and continues in that Office his Property remains, and when the Person dies, or is deprived, the property is safe still, and is vested in his next legal Successor, and is not this case plain enough? 'Tis not all his ridiculous Tautologies can make any contradiction here. Let the Quaker go to such as sustain a Civil-Office, with Civil Rights due to them by vertue of that Office for term of Life, and ask his silly Questions of them, whether the property be vested in the Man or the Office? And how it can be vested in the Office which was endowed in times of Popery? Will any man be fooled out of his property by such trifling stuff? As to our Question, he only repeats his old untruths with a new confidence, viz. *That the Office of Priest-hood was Popish when Tithes were settled on it*; and that the Office it self is now laid aside, but brings nothing new to prove this, but that which is as false as the Positions they are brought to prove: For, *First*, 'Tis



'Tis false that *Augustine* ordained Bishops and Priests here by Pope *Gregory's* Authority, for he received his Consecration, which gave him the power and Authority to ordain, from the Bishops of *France*. Secondly, It is false, that the Ordinations of *Rome* were entirely Popish in that Age, and no sober Protestant in the World will say so. Thirdly, It is also false, that the Office of Priests then was to pray for deliverance of Souls out of Purgatory, or to receive *Auricular Confession*, for those were Doctrines of a later stamp, as I have proved. And though the Pope, and these Opinions too (which afterwards prevailed) were cast off, yet it doth not at all follow that the Office was cast off; for some particular Duties of an Office may be annexed to it for a time and cast off again, and yet the Office remain still. The main duties of the Priests Office were in *Erhelwolfe's* time, and ever since the very same, to Preach, to Pray, to Administer the Sacraments, &c. and these continuing, the Office, doubtless, continues also. If they did in the middle times Administer some of these Duties in a corrupt and Popish manner, the rectifying the manner of Administration doth not abolish the Office. The Office of our Kings, Mayors, Sheriffs, &c. while Popery continued, had divers Popish Duties annexed to them: yet sure the Offices were not laid aside, when those Duties were laid aside; and he is fit for the fine House in *Moor-Fields*, who affirms so absurd a Thing:

to

to conclude if the property had been vested in the Office, it had been in no danger to be lost, for when the Reformers made the Clergy Administer their Office better and more agreeable to Gods Word, they did not re-ordain them, nor give them any new Office, and the Quakers saucy Tongue is too long in saying the Reformation was too short herein.

§. 13. **P**Ag. 397. 'Tis a certain Rule,

That Quakers and Papists will recant nothing, the one to keep up the credit of their Inspiration, the other of their

(b) *Quod semel sine ratione factis, ne videamini aliquando nesciisse, defenditis; meliusque putatis non vinci quam confessæ cedere atque annuere veritati. Arnob. l. 6. p. 197.*

Infallibility (b). And that is the only reason that can be given, why T. E. so stiffly defends his gross mistakes with an obstinate Conscience; of which we have a plain instance in his maintaining, *That the Priest hath no property in Tithes, because his Title to them lies in the gift of the Owner, nor can be remove it till the Owner have set it out.* I told him before, that by this rate of Arguing, one might prove that the Husband-man had no property in the nine parts, because he cannot remove them till the Parson have notice to come and take his Tenth, to which he makes no Reply: But saies, *It is an odd property that a man hath to a thing he never had in Possession.* Which shews how little he understands of either Law or Reason in this matter: In Law it is a Maxim, *Is qui actionem habet ad rem recuperandam, ipsam rem habere videtur. F. de div. Reg. L. 15.* He that hath a good Action to a thing, is supposed

posed to have the thing ; and a man hath a property to many things which he was never actually possessed of as yet, as the Lord in his Free-rent to be paid the next year ; he had possession of the last years Rent, as the Priest had of the last years Tithe, and he hath a right to and property in this years Rent, and may dispose of it before it be come due, on condition he live so long till it become due, and so may the Priest do by this years Tithes. And the Law calls all those rights which consist in things not always in our own hands, Incorporeal, and there *quasi possessio*, the possession of the right which they call *jus ad rem*, the liberty and right to take a thing up when it shall be, is counted *possession*, though we have not the things in our own keeping, *Bract. l. 2. c. 23. §. 3, 4. Fleta l. 3. c. 15. §. 16. Justin. Instit. l. 2. tit. 2. de rebus corp. & incorp.* So Pharaoh had a property in the fifth part of the Profits of the Land of Egypt, and Colledges have a property in the Corn that is to be reaped and paid to them, which they call Corn-rents ; and those Landlords, who for Rent receive a part of the Profits in kind, have a property in the Profits before they be reaped, yea, such a property men have in all sorts of Quit-rents and Rents. Another exception against the Priests property in Tithes (as frivolous as the former) is, *Because there is no certainty in Tithes* : which foolish arguing would prove the Husbandman hath no property in the Nine parts, because there is no certainty in them neither,

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for the Husbandman knows not whether his Crop will be much or little, but the Priest knows that his must be the Tenth part, be it more or less; and if the Husbandman have a good property before this certainty be, then so hath the Priest: And will any say *Pharaoh* had no property to the fifth part of the Profits of *Egypt*, because it was not certain how much that part would be? They have no foreheads that put their Names to such pitiful Objections. Well, *but it lies in the Owners gift* (he saith;) whereas Mr. *Selden* will teach him, *That whatsoever is lawfully established by a Civil Title, is clearly debitum justitiæ, not charitatis: Preface pag. 15.* So that what the Law declares to be another's due, and compels us to set out for him, this can be no Gift of ours, no more than he that is bound by Law to pay his Quit-rent before he receive one penny of his own Rent, can be said to give that Quit-rent, and it may as well be said the Owner of the Quit-rents property or right lies in the Gift of him that pays it, since he must separate it and tender it, as that the Priests property to Tithes lies in the Gift of him that is bound by Law to separate and make it ready: And doubtless the Case of a Quit-rent, or Rent-charge, is exactly parallel to that of Tithes as to the matter now in question; both are certain parts, one of the fruits *in specie*, the other of the price of those fruits sold, both to be made ready by the Occupant, both necessary and enjoined by Law to be done, and  
not

not arbitrary as Gifts, both to be separated in the first place, both secured by sufficient penalties, and 'tis nothing to this purpose whether the penalties be the same or no (as was shewed before :) And as a Quit-rent or Rent-charge cannot be extinguished where the Law saith they are due, so neither can Tithes be extinguished where there are things titheable by Law: Nor is it a good tender of Quit-rent or Rent-charge of 10*l. per Annum*, to pour down an 100*l.* in a gross sum, and bid the receiver please himself, no more than it is a good tender of Tithes to bid the Parson please himself out of the whole Profits: And though the receiver of the Quit-rent or Rent-charge may not seize upon the whole hundred pounds, no, nor yet by Law take out his ten pounds, because the Occupant or Owner is bound to separate it first, yet no man of Sense will deny but that he who is to receive the 10*l.* hath a good property in it; for indeed this 10*l.* is not the Quit-rent till the Separation, no more than the Tenth part is Tithes till Separation made; but that is only a stronger proof of the Priests and the Owner of the Quit-rents Rights; in that those who are to pay them must by such Separation own that those proportions belong to another, and are none of theirs: But I fear I tire the Reader with confuting such palpable follies, only I hope the blame will be laid upon my contentious Adversary, who will not yield to the plainest truths.



§. 14. PAg. 408. 'Tis impossible it seems to keep a Quaker from Tautology, which is so used at their Meeting-houses, that they cannot leave it in their writings, so that now we have another stuffed skin, the old dish of the Injustice of ancient Owners granting present Profits serv'd up the third time; and as if I were obliged to write out his nauseous repetitions *verbatim* wherever I answer them, he blames me for the alteration of a word, although he confesses he used that word elsewhere which I make use of here: Did he not say, *it was utterly repugnant to reason, justice, and equity*, pag. 324. *most ridiculous*, pag. 326. and in the very Page which I answered, pag. 338. he asks, *Is any one so void of reason to imagine?* And will he now say, that all this doth not amount to the calling this Grant ridiculous and unreasonable? Or doth he repent of that faucy expression which makes Kings and Parliaments, Judges and Lawyers, a company of ridiculous and unreasonable men? One might almost hope so, because this Gift which in one place is so ridiculous and unreasonable, he says in other places was given *in a Religious mistake*, pag. 398. and *a devout mistake*, pag. 410. but we know our Adversary too well to expect he should recant any thing. However, if the Quakers do deny the Impropriators Right to Tithes, (as he here saith) *T. E.* hath done his Friends much disservice in labouring so hard as he did

did but now, pag. 383, 384, &c. to prove that the Impropriators have an Estate of Inheritance and a Freehold in Tithes by the Statute Law: I thought he and his Quakers had not denied those Civil Rights which Humane Laws give to Lay-men, how injurious soever they be to the Priests. And his calling on the Impropriators to look about them when we were about to touch their Title, seems to declare, He thought we were about to take away something they had right unto, and the Hypocrisie of that is the more notorious, if he then thought as he now speaks, that they had no Right at all to them; nor would any but a double tongued and false-hearted man have exasperated them against us for affirming, much less than he here declares to be his own and the Quakers opinion.

§. 15. **P**ag. 403. Concerning Artificers paying Tithes of their gain, the Laws for them are grounded upon S. Paul's Rule, *Galat. vi. 6.* who when he bids every Christian give a part of his Goods, cannot be supposed to appoint less than a Tenth part, as we have proved before. And that Artificers ought to pay Tithes, is clear from the Judgment of the Fathers \*, from the Canon Laws ||, and the old Saxon Laws, un-

\* *Ambros. in  
Quadrage.  
Ser. 34.  
Aug. de*

*Temp. Ser. 219. || Decret. l. 3. tit. de decimis cap. 22. Excerpt. Egh.  
can. 100. Linwood l. 3. tit. de decimis cap. quoniam.*

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repealed

† *Leg. Edward. cap. 9.*  
*ad Spelman, p. 621.*

\* *27 Hen. 3. cap. 20.*

2 *Edw. 6. cap. 13.*

|| *Reform. leg. Eccles.*  
*11. de Decim. cap. 14.*

repealed †, and from Statute Laws now in force \*, and from the Ecclesiastical Laws revised at the Reformation ||; so the Priests have a Civil Right to them grounded upon Scripture expounded by Primitive Fathers, and yet (to demonstrate how far the Priests are from that greediness T. E. charges them withal) we noted these Legal dues are rarely demanded where there is a competency without them. This Section affords nothing else considerable but the Quakers playing upon the ambiguity of the Phrases [*Profits and Increase*] which I used in their Latitude for all that grows or renews in a year upon a parcel of Land; but T. E. for want of better matter, doth strain them to signifie, that which we call *clear Profits, and Increase after deduction of the Seed*, though he himself often use the word *Profits* for all that comes of a Farm, as *pag. 429.* and elsewhere; but this quibble I shall meet with again shortly, so that I will only ask him, If it be not a harder Case for Tenants to pay their full Rent (which according to him is a Third part of all that is made of the Land in a good year) even when there is no clear Profits at all, than to pay a Tenth part which is very small in a bad year? The less the Crop is, the Tithe is less, but the Rent is as great as ever.

§. 16. **P**Ag. 404. If there be any method in *T. E.*'s discourse in this Chapter, the preceeding Sections have attempted to shew that the Laws do not or ought not to give the Clergy a Civil Right to Tithes, and these that follow pretend to argue for the repealing of those Laws that are; but the Philosopher admonishes in his Politicks, *That it is an ill thing to be easily persuaded to change the Laws*, Arist. Polit. And a great Master of Law saith, *In making new Constitutions there must be apparent advantages before we recede from Laws that have long been used as just*, Ulpian. And it was wisely ordered by that Commonwealth which decreed, *That none should propound a new Law, but with a Rope about his neck, that if the motion were not approved, the Proposer might be hanged*. In which posture, and under which condition, if *T. E.* will propose his Repeal, 'tis fit he should be heard. When I shewed that the Reasons urged by *T. E.* for the abrogation of Tithes, would unsettle most of the old Donations to the Poor and the Endowment of Hospitals, especially if the Donors were Papists, and gave them for the health of their Souls, and remission of their Sins, if the names of Saints were annexed to their Deeds of Gift, and if they did it to maintain poor people who should come frequently to Masses, and pray for their Souls after they were dead; all these Donations, according to *T. E.* ought to be made void, for these were Acts which they

did not in their Politick, but their Religious Capacity, not as Men but as Christians; and yet our wise Reformers did not (as he doth) think them stark nought, but pared off the Corruptions, and left the Donations firm. These then are the first sort of Provisions for the Poor that the Quakers arguings tend to destroy. Secondly, All Hospitals endowed with Tithes, he grants, ought to be deprived of their maintenance also. But, Thirdly, He is not willing to yield that his Arguments tend to take away all provisions for the poor out of perpetual Rent-charges: But if there were any truth in his Assertions, or force in his Reasons, these must fall with Tithes also; for these are Grants of a certain part of the Profits for ever, made by ancient Owners, to be raised and paid out of the present Occupants stock and the improvement thereof, to certain persons that neither do nor can do any thing for him, that can deserve such a compensation, and are no otherwise abated in the Rent than Tithes are or may be: And now if those ancient Owners had nothing to do with the present Profits which are produced by the stock, care, and pains of the present Occupant, if it were ridiculous, unreasonable, and unjust for them to grant away any part of those Profits beyond the time of their own Life (as *T. E.* argues in case of Tithes,) then those Rent-charges perpetual ought not to stand neither; nor will any of his pretences save his false premises from  
pro-



producing this wicked conclusion : For if an ancient Owner cannot give a certain part of the Profits *in specie*, he cannot give the price of them sold, the sum of money hath more trouble in raising, and doth not fall in proportion to the small Profits of a bad year, as Tithes do, so that he that can lay on the greater burden of a certain sum out of Profits sold, may surely lay on the gentler of a certain part of the Profits in kind ; and if that burden descend with the Land, so doth this also ; for most of these Rent-charges are secured not by power to enter on the Land, but on the stock of the present Occupant, and these were laid on by a single ancient Owner by his private Deed, the other by the repeated express consent of all Owners successively for divers Ages, and that consent confirmed by publick Laws, and the payment secured by as great penalties as the other ; wherefore *T. E.* must either grant that these his arguings against Tithes are false and foolish, or else they will hold against all Rent-charges perpetual, particularly against these to the Poor. And finally, no provisions for them will hold, but what is set out in Lands and Tenements ; so that one half of those poor, whom our Ancestors Charity hath well provided for, must be stript of their succour, to satisfy the Quakers ravenous desire after Tithes. As for the Clergy, they are no Receivers of these Revenues for the Poor ; they neither have, nor desire any advantage by their continuances

ance: So that there is no ground for his malicious comparing me, or any of them, to Judas who spoiled the Poor; but T. E. himself would do this, if his Arguments could prevail. But I will present him with a more exact Parallel by far, viz. That the Quaking Speakers vehemence against Tithes is very like to the Popish Fryars in Mr. Selden, who made it a gainful Doctrine to teach Lay-men that they were not bound to pay their Tithes to their Ministers: For, as he adds a little after, *By this Doctrine the Mendicants especially, often got them to themselves (like the old Eustathians) as Alms to be arbitrarily disposed of, to such as took any spiritual Labour; as also made their own detaining them in Lands out of which they were Parochially due, to seem the less wrongful.* Seld. Hist. cap. 7. p. 166. I leave their own Consciences to make the Application, and only note that Mr. Selden here saith, *Tithes were due out of Lands;* which serves to refute a silly mistake of T. E's in this Section, viz. That Rent-charges were due out of the Land and Tithes not so, whereas most Rent-charges have their remedy for Non-payment out of the stock, and all are paid out of the Profit made of the stock, and so may as well be said to lie upon the stock as Tithes, which lie upon the stock no otherwise than as that stock is laid out or fed upon Land charged with Tithe. If T. E. will turn his Cattle into Chameleons, and feed them in the Air, and lay out his stock in plowing the Wind, and reaping the

the Whirlwind, I dare promise him his stock and encrease too shall be Tithe-free, and, it may be, he hath some such project, since, where we are discoursing of the encrease of a Husbandmans stock, he saith, *Encrease may be without Land*, pag. 412. and if he can make out how a Husbandmans stock can encrease without Land, he knows a certain way to free himself and his Friends from Tithe, and so need not trouble our Governours to repeal the first Clause of *Magna Charta* and the rest of the Laws for payment of them.

§. 17. **P**Ag. 408. To promote his desired Repeal, he now comes to represent Tithes as a grievous burden, labouring to prove in his former Book, p. 343. They are a greater burden than Rent; and if that which a man labours to prove be his own Position, then there was no occasion for him to calumniate me, as if I made this Position for him, especially since he now openly owns it, though he doth no otherwise defend it, than by a gross begging of the Question: For he takes it for granted, that Tithes are an unjust payment, which is the thing he was to prove. The case between Rent and Tithes is, that they are both just payments (which he hath granted of the one, and I have proved of the other) so that it remains a Paradox still, How the less payment can be the greater Burden? But if he yet think, that Rent is demanded upon more valuable considerations

ons than Tithe. I reply, that Tithe is demanded as an acknowledgement of God's bounty, and a sufficient Maintenance for his Ministers, stated by God's Law, as it is expounded by Primitive Fathers and Councils, and the practice of the ancient Church; in consideration that it was given us by the Owners, possessed by our Predecessors long enough to make a good Prescription in consideration that the Laws declare it to be our due, that the Owner was abated in his Purchase, and the Tenant in his Rent, upon the account of this so well-settled and well-known payment. And these surely are as valuable considerations as there are for demanding Rent, and make Tithes to be as just as that is, wherefore it must be the unwillingness of him that is to pay them, that makes them seem a burden, which I noted from St. *Ambrase*, whose name *T. E.* conceals. Now while the Laws of the Land, expounded by our Judges and Lawyers, declare Tithes a just due, and require the payment of them, he that calls them a **great oppression**, and endeavours by writing to make others think them so, he endeavours to make the Magistrates and the Laws seem grievous, and is a seditious Libeller, and only the more impudent for daring to put his name to such a Piece: Nor can he be excused from slandering the whole Nation, who falsely suggests that Nine parts of Ten count that (which our Laws and Magistrates declare to be a just payment,) to be a **great oppression**; for hereby

hereby he accuses the greatest part of the Nation by far, of maintaining an ill opinion of the Governours and Laws under which they live. And experience shews the falshood of this suggestion, since there is not one in twenty but pay Tithes without any compulsion, and what men do quietly according as the Law directs, Charity teaches us to believe they do it willingly. But the Quaker pretends, *The best way to try whether the people willingly obey or no, is for our Legislators to take away the Law.* Why, what need is there of that? T. E. bragged in his Title Page, *that the positive Laws were removed by his hand*, but it seems he did not believe himself, and therefore he flatters that Authority (and calls them their Legislators) whose Power the Quakers openly despise, and most insolently boast of breaking their Laws; yet T. E. tells these Magistrates, *That they have power to decide the Doubt*; meaning, if they will decide it on the Quakers side, otherwise they own no such decisive power in them, as appears in their Outcries of Oppression and Persecution when these Legislators decisions are executed on them. But as to his Project of taking away the Law to try mens Freedom, it is one of the most foolish and pernicious Proposals in the World: Foolish, because it is grounded upon this wretched Principle, *That none are free who live under any Law*: by which account the Ten Commandments and the Precepts of the Gospel do take away the freedom of our obedience



to God, and all the Subjects of any sort of Government regulated by Laws are Slaves: And it is pernicious also, because it advises those whose duty it is to preserve the Government, to destroy it: There are many who live orderly under the Laws, that would be tempted to be highly wicked, if they were removed; so that by this Act, they who are to punish Evil doers would encourage them, and invite Thieves to petition for reverting the Laws against Stealing, and Rebels for revoking those against Treason. This licentious sort of Liberty (I doubt) is the Gospel freedom this Scribler and his Quakers so hotly drive at; which indeed is the ready way that ill men take to overthrow the Government, which if they could get into their own hands, they would be as much against this sort of Liberty, as now they seem to be for it||, as the Laws of G. Fox's Consistory have already taught us. But T. E. is so pleased with this notion, that he is at it again, pag. 417. where he affirms, *The payment is not voluntary while the Law sets a Penalty on the refusal*: By which false medium, I might prove that the payment of Rent is not voluntary, because the Law sets a penalty on the refusal of that as well as Tithes; but his regard to the Laws and Magistrates appears most plain by that seditious comparison, where he likens a man that pays Tithe for fear of a Judge with the Statute of treble Damages in his hand, to the delivering ones Purse to a Thief with his Pistol, &c.

So

|| ut Imperium ever-  
tant liber-  
tatem præ-  
ferant, si  
pervererint  
libertatem  
ipsi aggred-  
deantur.  
Tacit. An.  
L16. §. 23.

So that the Judge (who forces this payment) is compared to a Highway-man, and the Law to a Thief's Pistol: Rare Quaking modesty! His other Simile of the Boys fear of whipping, may teach him, that to take Rods from Schools to try whether Boys will learn freely, is as senseless a project, as to take away Laws from a Nation to try if the People will do well freely; and that would make just such a School as this will do a Kingdom.

Page 411. To return to the Proposition, *That Tithes are a greater burden than Rent*; Two things he said in defence of it (which he calls Reasons, though they be both Mistakes as great as the Proposition they would defend;) First, *That the Tenant receives the worth of his Rent of his Landlord, but nothing of the Priest for his Tithes*: Secondly, *Rent is a voluntary contract, and he pretends Tithes are not so*. To the first of these I reply, That if it were so, that the Tenant did receive nothing of the Priest for his Tithes; yet all payments to those from whom the Occupant receives nothing, are not oppressive nor unjust, as is clear from the instance I gave of an Estate charged with a payment to such poor as do nothing for the Occupant nor his Lord neither. And I have already shewed, that if Ancestors can bind Heirs and Successors to any payment, they have bound them to this of Tithes, nor will I here repeat the confutation of his repeated Mistakes; because I can prove the Tenant receives more in consideration

deration of his Tithes, than he doth in consideration of his Rent. For, *First*, he receives of his Landlord a proportionable abatement in his Rent in consideration of his Tithes, or if he doth not, he only suffers by and for his own folly, in regard he knew certainly that the Law assigned the Tenth part of the Profits to another, and therefore he should have computed whether the nine parts would enable him to pay the Rent demanded, and repay him for his cost and pains besides. And the low Rent of Arable Land (which pays a great Tithe) with the value of Lands legally discharged from Tithes, being higher than the same quantity of titheable Land of the same kind of Soil, doth shew that Tenants and Landlords are not unmindful of this matter in letting and taking Land: and this alone makes Tithe to be as just a payment as Rent. Yet, *Secondly*, The Quaker confesseth the Tenant receives more from God than he doth from his Landlord; wherefore as he makes an acknowledgment for that which he receives of the one by Rent, so he ought to do for what he receives of the other by Tithe, which in the opinion of wise and pious men, is an acknowledgment made for the Sun and the Rain, for our life, and health, and God's blessing on our labour, and whatever God doth toward the producing of the Profits: Nor is this to be evaded by pretending all is due to God, since he expressly requires no more than part of all, *Galat. vi. 6.* and he that waits for God's counsel

fel in the disposal of what he gives; may find him in his word counselling to give part of all; and if we ask what part, we are sure God liked a Tenth part once; and never shewed any dislike of that part, nor prescribed any other; that part therefore is the most likely to please him. Thirdly, After all this the Tenant hath or may have (if his own obstinacy hinder not) that which is more worth than his Tithe of the Priest, Prayers, and Blessings, Sermons and Sacraments, Instruction, Exhortation, Reproof, Comfort, Resolution of his Doubts, Direction for his Conversation, and all that which God hath made the Means of Salvation; and that by which many Souls have attained everlasting Life. And most of those that pay us Tithe do actually enjoy these things, and if some few scattered Quakers wilfully run astray, and rail at their Shepherds for inviting them back, and like the Pharisees, *John ix. 40, 41*. fancy they need not be taught, we have shewed before they ought under a settled Government to pay for Priviledges which they will not make use of; and however even these have the worth of their Tithe abated by their Landlord, and so are no losers if they pay Tithes, and are unjust if they detain them: Before I leave this I must note, That when I urged the saying of good King *Edward* the Confessor, to prove, That it was just to give the Tenth part to God who gave us that and the other Nine also: He falls a railing at the times in which that King lived,

as Popish times; as if it were enough to prove every thing Popish which King *Edward* said, because Popery was then creeping in: This very Prince believed, *That the King is God's Vicegerent*, Leg. Edv. 15. *That God is to be honoured above all*, cap. 4. with many other Scripture Doctrines, and will any man in his wits be so extravagant to fancy he proves these to be Popish Doctrines, by proving the times were Popish times? Alas *T. E.* begins to low, for King *Edward* learned this Doctrine from *St. Ambrose* and *St. Augustine*, who lived above six hundred years before the times which the Quaker vilifies; yea, King *Edward* speaks not only the Sense but the very Words of those Fathers; *He hath given the Nine parts, and reserved the Tenth to himself*, Ambros. Sermon. 34. *God which vouchsafed to give us the whole, requires only the Tenth back again*, Aug. Ser. 219. Had this Opinion been first invented in King *Edward's* days, it had been somewhat to the purpose for *T. E.* to shew that Age was Popish: But since it appears that Jews and Gentiles, Patriarchs and Primitive Christians have agreed in this matter, viz. *That the Tenth is the part due to God*; nothing is more weak and impertinent than to attempt to prove this a Popish Doctrine by so absurd a *Medium*.



Pag. 416. His second pretence why Tithes are a greater burden than Rents, is because Rent is voluntary contract: But this is more than he knows; for by his own rule we cannot tell whether men do contract or pay freely, unless the Laws were taken away which compel men to contract for Land before they enter upon it, and to pay that which they have contracted for; perhaps the Thief and his Pistol frights them to contract and pay also, and they do it no more willingly than a School-boy pulls down his Breeches; if this be a good Argument for him, it is so against him, and he may see the absurd consequences of his own discourse wounds himself, and makes it impossible to prove Rent a voluntary contract, while the Laws stand: But to let that pass; there are thousands who do as voluntarily bargain with their Parson to give him so much Rent in a year for his Tithe as they do with their Landlord for the Land (and thus my Parishioners generally do) so that to all these T.E's Rule will hold, *Volenti non fit injuria*, and if Rent be not an oppression because 'tis voluntarily contracted for, no more are Tithes to these. And for all others that take Farms, I made it so plain, that they do either expressly or virtually contract to pay Tithes at the making of their Bargain in my 204th and 205th pages, that the Quaker only nibbles at some loose Sentences and away he flies: Wherefore I shall send the Reader thither for his satisfaction, where he will find it proved, that

whoever takes a Farm which is liable to pay Tithe, doth as firmly contract to pay that Tithe to the Priest, as he doth to pay his Rent to his Landlord; and therefore upon this account Tithes are (by *T. E.*'s own rule) no burden at all. One passage only he makes a shuffling reply to, and quarrels with my saying *Tithes are a known charge upon all Land*; and he pretends this was my Reason why the Tenant was supposed to contract for Tithe paying, if it were not mentioned in the bargain; whereas it will be as good a reason for me, if *T. E.* shall express it, *A known charge upon the profits of all Land*; for since 'tis a known Charge to arise out of either Land or Profits (no matter which) if the Tenant doth not covenant, that he will be freed of Tithe by his Landlord (as some do,) the Law justly supposes he contracted to pay it: But such holes he uses to creep out at, when he dares not stand the Argument.

**S. 18. PAG. 418.** The next absurd Position that *T. E.* makes use of is, *That the Purchaser buys the Tithe, because he buys all that is not excepted out of the Purchase, &c.* Now if he could prove this, it would not do his Quakers business, who have with much pleasure expected the repeal of Tithes in hopes that they (who are generally Tenants) should get them to themselves, but by this unwelcome Argument, if Tithes were taken away, they must be given to the Landlords

lords, who would accordingly expect and  
advantage in Rent: And thus the poor Qua-  
kers would be defeated like the *Jack Daw* in  
the Fable, which watched for the Meat the  
Eagle let fall, but the Fox ran away with it.  
But this I observe only on supposition *T. E.*  
could prove this Position, which, alas! he can  
never do; and it is strange boldness for one  
that declares he was not educated in the Law  
(nor doth he make it his Profession, but  
may likely be very defective in it, see his *Page*  
*379*) to oppose the greatest and best Law-  
yers of *England* in this matter, he cunningly  
saith I urge the Opinion of some Lawyers; (viz.  
*That Tithes are not bought by the Purchaser of an*  
*Estate*;) now these some, were two Lord Chief  
Justices, viz. *Dyer* and *Coke*, to which I may  
add *Elton*, who saith, *Extra patrimonium ve-*  
*rendice sacre & communis*, lib. 3. cap. 1. §. 3.  
All three Oracles of the Law, to whose  
Judgments all the Lawyers in *England* will  
readily subscribe, nor are they here speaking  
of the Divine, but Humane Right of Tithes,  
telling us that the Laws of the Nation make  
them a collateral Inheritance, and do not al-  
low them to pass by any bargains between  
the Seller of an Estate and the Buyer, no not  
though he make over expressly all the Profits.  
Thus the Masters of Law speak, and what  
signifies one pious Quakers Opinion to the  
contrary, especially when reason and expe-  
rience both confute him; for Tithes as they  
are settled by Law are as distinct an Estate  
from that of the Land as any Free-rent, or

|| Bracton de  
acquir. rer.  
Domin. fol.  
12.

Rent-charge; the Law hath declared they are anothers due, and therefore it will not allow one man to sell anothers Right, no not though the Seller should put the Name of Tithes into his Deed of Sale; and this Right of Tithes is such, that if the present Incumbent consented he cannot sell the Tithes, as Bracton observes; much less can any other person sell them. The not excepting so known a Charge in a Grant of all the Profits, is no more prejudice to Tithes than the not excepting Chimney-money, Assessments, and other known Payments due by Law, is to these publick Payments. Pressed with these Arguments which he had no mind to attack directly, he runs to his old Scarring-hole of distinguishing between the Land and the Profits, or Increase, and talks as if the Buyer bought the Land and not the Profits, for the Seller, who secures the Land (as he dreams) will not secure the Profits: But he urges my sayings, *That Tithes are only due out of the Profits*, and so thinks to claim no Tithes out of the Land, which is that the Purchaser bought according to him; this is the sum (I cannot say the substance) of this thin fallacy. But first I observe, that whereas he was to prove that the Purchaser bought Tithes in his Purchase, this Jargon (if it could prove any thing) designs to prove the contrary, viz. That he did not buy Tithes because he bought the Land out of which T. E. will not allow Tithes to be due, but out of the Profits only which the Purchaser did

not

not buy. But who can patiently hear such frivolous mistakes alledged in Argument; who knows not that he that buys the Land for ever, buys the Profits for ever, and buys it only in consideration of the Profits; and proportions the money he gives according to the Profits; and the buyer were unjust to take the Profits if he did not buy them; and every Attorneys Clerk knows that nothing is more ordinary than for the Purchaser to expect, and the Seller to give assurance that the Estate shall yield so much profit as 'tis valued at in the Purchase for the first seven years, yet *Mr. H.* denies this also to his shame; but whatever his ignorance may persuade him to, 'tis evident the Purchaser buys the Profits as well as the Land, only he is abated for all known Charges that are upon this Land to be paid out of the Profits, and among the rest for the Tithe, the Seller had no right to this, and so could not transfer it to the Buyer. The Law had settled this on another, so that the Estate was valued at no more than the Nine parts of Profits were worth, no more than it would yield in clear Rent; and pay Tithes beside; and my Friend in his Vindication, pag. 320. proves by a real Case that if the Land were Tithe-free, the Purchaser must pay dearer for it, and might let it dearer on that consideration. So that we see he that purchases both Land and Profits, doth not purchase the Tithe.



As for this second purchase of the Profits by the Occupant's stock, care, and pains, 'tis a meer *Chimera*. For first, the Owner need not employ any stock on his Land, nor be at any pains or charge with it; for (if he made a wise bargain) he may lett it after the rate it was valued in the purchase, and so have sufficient Profits out of his Land without any further charge. But if the Occupant be a Tenant, 'tis true he hath a stock, and is at charge and pains, but it is to produce (as T. E. computes in the next Section) three times as much profit as the Rent; one part of these Profits being for his Rent, another to repay him for the charge of managing, and the third for the Tenants own use. Now how can it be said that this Tenant purchases a Crop, when that Crop pays him for all the charge laid out about it, and leaves him (besides his Rent paid) a considerable proportion of clear profits to live on or lay up. Thus the Quaker reckons, when he would stretch the Tithe as high as he could, but here where it was for his interest to make the Profits seem as low as he could, he saith, *That the Profits are dear enough many times of the charge laid out in procuring them*. So that we see he can blow hot and cold with the same breath, and turn his story to serve his ends. But I reply, That none are free from ill accidents in any Calling; a single bad year may make the Profits dear enough of the Charge: but then Rent is not so reasonable a payment as he pretended but now, for  
in

in such a year the Tenant hath not the worth of his Rent from his Landlord: But we must speak of ordinary years, and then let it be considered, that all Meadow ground and Pasture employed in Agistment yields profit to the Occupant at very little charge: Then for Arable, the charge of Tilling and Tithe too is considered in the Rent, or else why should an Acre of Arable lett but for five shillings Rent, and an Acre of Meadow for twenty shillings, when as the Crop of the Acre of Corn is worth more than twice as much as the Crop of the Acre of Meadow: So that where the Husbandman is at much charge in procuring the Profits, he is well paid for it in that his Rent is less, and his Profits more in value; wherefore he cannot properly be said to purchase the whole Profits, in regard he is reimbursed all these charges again by the Profits he reaps, and well rewarded for his labour and employing his stock beside: Finally, if the Tenant be a wise and considering man, he will compute his charge of managing, and advise with himself or his Neighbours, whether the Nine parts of the whole Profits, *communibus annis*, may be likely to repay him for his charge and labour, and to enable him to pay his Rent, and yield some clear Profits, otherwise he will not meddle, for he knows that the Law gives the Tenth to another, and that must (in Lands titheable) be as certainly paid to the Parson as his Rent to the Landlord: From whence it appears, that the Tenant doth

doth not purchase the Profits; but only lays down his money for a while, and receives it again with advantage; and it is his own fault if he be not considered for all he lays out in procuring the Nine parts, and for the Tenth also: And his Rent is, or may be so stated (if he act wisely) that he may be well paid for his charge in making ready the Parsons Tenth as well as his own Nine parts: So that neither the Landlord nor Tenant can be said to purchase Tithes, the one being abated in his Purchase, the other in his Rent, for that known interest which the Law gives the Parson in the Profits of the Land so bought or farmed.

Page 421. Although he laboured but now to prove the Impropiator had a Freehold in Tithes, yet now he hath the confidence to say, *That he that sells an Estate, the Tithes of which are Improprate and belong to a third person, sells that third persons right without making him party to the Sale, or giving him any of the purchase money:* A strange assertion! That one man can sell anothers Freehold, and out him of it without his knowledge or consent, is the direct consequence of this monstrous Position. But to leave him to the just scorn of all that understand Law or Reason, I shall note, That the Laws do not permit him that sells his own Estate to sell anothers; and that it appears by this instance, That the Law reckons Tithes as a distinct estate from that of the Land: And good reason; for the  
Owner

Owner of the Land (in this case) never purchased nor possessed the Tithes, and he can convey no more right to the Seller than he had in himself by T. E's own Maxim; yea, and by those very words of the Deed of Sale (part of which the Quaker fraudulently left out on purpose to conceal the cheat he had put upon his Reader) *All the Estate, Right, Title, Interest, Property, Claim, and Demand whatsoever, which the said A. have or ought to have in the Premises:* which very plainly declare that the Seller doth not sell the Tithe, for by the Law he had no Estate, Interest, nor Property in the Tithe, no Right nor Title to it, nor could he make any claim or demand of it: But the Estate, Right, Title, Interest, and Property was in another, who with his Predecessors had claimed, demanded, received, possessed and enjoyed them many years. And if he take it to be no Argument of my Depth to suggest this, I am sure it is an argument of his dissimulation to conceal it, from those shallow Readers his obvious Fallacies are calculated for; and if he had not forgot the A B C, and first Principles of Honesty, he could not have been guilty of such gross collusion. In his first Book, *the Purchaser purchased all that was not excepted out of the Purchase, and Tithes were not excepted;* so that it seems the Purchaser bought Tithes: And yet here *the Occupant purchased them too with his labour, and cost, and stock,* and he reels about not knowing where to fix, for as the Jews say, *Al ye hath*

*hath no fee:* and indeed neither of them purchased them as I have now made appear. The rest of this Section is spent in stuffing the skin of that baffled distinction of the Land and the Profits: But as for the false consequences he draws from such fallacious premises, I shall only tell him, That a man may buy an Estate, and have a right to every foot of Land in that Estate, and yet not have right to all the Profits, if some ancient Owner have left it under a Quit-rent or Rent-charge, then this part of the Profits is become long since the estate of another person collateral to the estate of the Land, and did not belong to the Seller, nor was it conveyed to the Buyer. And it is most absurd for him to say, *That Rent-charges are laid on the Land, and paid out of the Rent of the Land without regard to the encrease that is made:* For is not the Rent it self, out of which the Rent-charge is paid, a part of the encrease? And if no regard be had to the encrease, the Rent-charge might as well have been laid on a waste and barren Heath that yields no profit as on a good Farm, for that is Land as well as this; I with T. E. would put his own Rule in practice, and lend 100 l. for a Rent-charge of six pound *per Annum*, and lay it on Lands not yielding Profits above the value of three pound *per Annum*: And if he say that will not pay him his six pound *per Annum*, I must tell him, that by his own rule he must have no regard to the encrease, if his Rent-charge be laid on Land it is enough.



nough. Finally, both Tithe and Rent-charges are charged upon Land, but to be paid out of the Profits, both laid on by ancient Owners, both obliging all that succeed, only one is laid on the Land, by the Publick Laws, the other by private Contract, so that one may be known without a particular exception, the other could not, and that is the true reason why Rent-charges are expressly excepted sometimes, but Tithes never, and not (as *T. E.* falsely suggests) because Rent-charges are charged on the Land only, and Tithes on the Profits; for the Purchasers Land is the less worth for the Charge of Tithes upon it, as well as it would be for a Rent-charge of the same proportion: And now I leave it to the Reader to judge what Character and Epithetes the Quaker deserves for the follies and falsehoods, the equivocations and contradictions of this Section.

§. 19. **P**Ag. 424. After all his out-cries of Tithes being an oppression upon the Tenants, and pretences of their purchasing the Tenth part of the Profits as well as the Nine; He dares not positively say, that they are not abated of their Rent in consideration of their Tithes they pay, only he suggests *'tis questionable*; but since experience shews, That a Close or Farm will certainly lett dearer for being Tithe-free, and give less Rent if the Tenant must pay Tithe, it is unquestionable to every man else that Tenants

nants really are abated in consideration of Tithes: Yea, I know divers peaceable Quakers, but will not tell *T. E.* their Names, lest *G. F.* should excommunicate them for their honesty, who do agree to pay their Landlord more rent, that so the Landlord may free them from paying Tithe. By all which it appears that the Parsons, distinct interest is considered between Landlord and Tenant: If the Landlord receives a Rent proportionable to the whole Profits, the Tenth part as well as the Nine, then he receives the Parsons right as well as his own, and then the Landlord must pay him, if he receive only in proportion to the nine parts, then the Tenant must pay the Parsons rights; for he pays less Rent in consideration thereof: This plain and known Truth *T. E.* despairs of being able to confute, and therefore hopes to escape by making a great bustle, as if my Friend and I contradicted one another, in our reply to his Supposition, whereby he pretended to demonstrate that if there were an Abatement made, it was not proportionable to the Tithe; but he is forced to leave out some of my Friends words, and alter my sense, to make somewhat look like a contradiction where there was none. He supposes a Farm worth 100 *l.* per Annum, paying 90 *l.* rent, 10 *l.* being abated only for Tithe, whereas the whole Profits he supposes worth 270 *l.* and the Tithe 27 *l.* my Friend replies, that *A farm of that value consisting in Tillage may be worth 27 l. per Annum* (there

(there *T. E.* breaks off, but my Friend adds) *or a farm of that value consisting in Pasturage may not yield seven shillings a year to the Parson*: So that my Friend counts it only possible such a thing may rarely happen where a Farm consists only of Tillage, that the Parson may receive 27 *l.* for Tithes out of a Farm of 90 *l.* per Annum: But I thought it seldom did actually happen, and therefore asked, *What Parson did ever receive 27 l. per Annum for a Farm of 90 l. Rent?* I am sure I never knew such an Instance, there being scarce any Farms consisting only in Arable, yet I do not say it was impossible, and so do not contradict my Friend; for indeed we both agree in the main, that *T. E.*'s fallacy lies, in not expressing whether this Farm were Tillage or Pasture; of the latter 'tis evidently false; of the former it may sometimes possibly be true, yet Rules are not to be drawn from things that rarely happen; now taking Church-livings together, I do not think the Parsons get above 10 *l.* per Annum for a 90 *l.* Farm, or about that proportion one with another. I excepted before those Livings *where there was much Corn*, pag. 213. but considering that there is far more Grounds converted to Meadow and Pasture, than employed in Tillage, and many of those yield less than two shillings in the pound rent, though this produce more; to which if we add also customs and compositions, exemptions and the ill payments of Quakers and dishonest persons (whom I would

would charitably suppose not to be above one part of twenty ) it will follow that Farms [taken one with another] do not yield above two shillings in the pound rent for Tithe, and I gave a real and evident proof of this in a Parish mixed of Tillage and Pasture which yields not 80 *l.* out of 1000 *per Annum* ; and both my Friend and all other Men who understand this matter are satisfied ; the Parsons throughout all *England* have not above two shillings Tithe for one pound rent ; so that if the Landlord do abate 10 *l.* in 100 *l.* he abates as much as the Tithe generally comes to, and the Tenant is as fully considered for paying Tithe, as he is for paying a Rent-charge ; and if he were not to pay this Ten pound to the Parson, he must pay so much more to his Landlord (supposing the Farm Tithe-free.) Nor is it possible for *T. E.* to excuse his Quakers from notorious dishonesty who have Ten pound abated (at least) yet will pay nothing for Tithe. He saith, *The Quakers do not desire to reap the benefit of other mens Lands for nothing, pag. 417.* But in this Case the Quaker hath Ten pounds worth of Land for which he pays nothing to either Priest or Landlord, no not though his Landlord abate it in consideration of the Priests right : This is Quakers honesty ! *T. E.* noted before that Rent was no oppression, because they had the worth of it of their Landlord, and by the same rule, Tithe is no oppression, for they have the worth of it also from their Land-

Landlord. But if this 90 *l.* Farm consist much of Tillage, and pay more than ten pounds for Tithe, the Tenant ought to have considered what publick payments were like to be paid out of his Farm besides his Rent; as, Tithe, Assessments, Quit-rents, &c. and should have stood on a proportionable abatement, and if he did not, he pays for his own folly, and deserves no pity. My Friend indeed instances in a Farm of 30 *l.* rent, whose Tithe was valued at 5 *l.* (which is short of *T. E's* supposition of 27 *l.* Tithe for 90 *l.* rent) and I never denied but some particular Farms yield more Tithe than two shillings in the pound (as also some yield less;) but this instance of my Friends shews, that a Purchaser must pay dearer for a Farm Tithe-free, and that a Tenant who pays no Tithe to the Parson, is nothing eased thereby, for he pays so much more Rent to his Landlord, which overthrows all *T. E's* airy Castles about the Landlords purchasing Tithes, and the Tenants paying it out of his own Stock, &c. and finally, the Quaker-tenant who detains Tithes, either was a Fool not to expect a proportionable abatement for his Tithe, (and why should the Priest suffer for the Quakers folly?) or he is a Knave if he had an abatement made, because this payment was to go out of his Farm, and will not pay it for all that: The Light of Nature and Moral Honesty taught Heathens better things.



s. 20. **P**Ag. 431. This Section is chiefly spent in making out some seeming contradiction in the Discourses of his Adversaries, the better to evade his own real contradicting of himself; but they are so manifest an abuse of our words and sense, that whosoever reads our Books as well as his, will easily see they deserve no reply. Since I said, *Few Landlords do allow so much as two parts of three to the Tenants*: that supposes I did believe, that some Landlords might allow so much, and that is all which can be deduced from my Friends supposing that *a Farm may be worth three times the Rent*. He thinks it possible; and I say, *I fear there are few such Landlords*: But I never said, *there were no such Landlords*, and so do not contradict my Friend: No, nor my self, when I say in one place, *Few Priests get so much as a full Tenth part of all manner of Profits*: And in another, *That the People generally pay their Tithes as freely as any other dues*: For the full Tenth of all manner of Profits is not by the Laws now in force appointed to be paid to the Priest. He forgets how little profit (he himself said) the Priest could require, from grounds stocked with Horses, and Wood suffered to grow to Timber, yet in many Parishes great Profits are raised by these to the Owners: He forgets my Friends assertion, that a farm of 90 *l. per Annum* consisting in Pasturage, may not be worth seven shillings *per Annum* to the Parson; nor doth he consider

sider how little Profits the Priests have of divers Cole-pits, Lead-mines, Allum-works, with other rich Manufactures that bring in large Revenues to the Owners and Occupants : And finally, if we add Customs and Compositions, which take off a huge proportion of the full Tenth of all Profits, and yet are allowed by Law; We shall easily see, that though the People do pay all the Tithes which the Law obliges them to pay, very freely, yet there are few Priests who will get the Tenth part of all manner of Profits, yea, though there were not a Knave nor a Quaker in all *England*. His Argument therefore halts still on both sides, and these imaginary Crutches will not support it. Again, 'tis very true that some wickedly call Relief to the Poor, Oppression, that is, those Assessments which are now laid on by the present Laws : But none ever said that it was Oppression to pay a sum of money given out of an Estate to the Poor, though there be no particular compensation allotted for raising and paying it : When *T. E.* can make the present Assessments to the Poor, and old Donations of Rent-charges settled on the Poor to be all one thing, then he will find a contradiction here. And as to his pretence, that the Tenant is satisfied for his pains in raising the Rent-charge, as he is for the rest of his Rent, I reply so is he also for raising his Tithe; the Landlord and Tenant at the Bargain making either did or are supposed to know, that the Tithe made ready was (by

the Laws of the Land) the interest of a third person, and therefore if the Tenant were wise, and the Landlord just, the Rent was so adjusted, that the Tenant might afford to discharge that interest which the Law secured to the Parson, as well as that which the Law secured to the Landlord (and I have shewed the Rent is therefore considerably abated in Arable Land especially) so that the Tenant hath the same satisfaction from his Crop for making Tithe ready, as he hath for the other parts: And yet besides, the Law makes the Occupant some allowance for raising his Tithe, in that all Cattle used for the Plough, or bred for the Pail, are declared to Pasture Tithe-free, nor hath the Priest any part in the eatage of Meadows after the Crop of Hay be taken: And this is some allowance out of the Tenth part of the Profits towards the charge of making ready. Moreover, as the Tenant is obliged by Law to pay a certain proportion of his Profits, so is the Priest also obliged to preach and pray publickly and ordinarily one day in seven, besides many other times on extraordinary occasions; and these Sermons are not like the Quakers harrangues, *Quicquid in buccam venerit*, but made ready with great pains; the Priest employing his stock of Books and Learning, and his Talents of Grace received of God also, in the composing of them, and all good Protestants have the benefit of our stock and pains as much as we of theirs. But if they be Quakers or Papists, yet

yet we make our Sermons ready for them, and by Toll of a Bell give them notice to come and take their part if they please. Let them therefore make their Tithe as ready for us, as we do our Sermons for them, and give us as good notice when that is ready, as we do when these are ready, and then if we (by our own default) come not to take our part, we will never blame them, much less sue them: For howsoever he accuses the Clergy of Cruelty in suing for Tithes, I am sure 'tis a Cruelty in those who force us so to do, where the Law is clear, and the Due so evident; and 'tis always a fourth damage to the Parson to prosecute the very Statute of treble damages. Nor did I ever know any Priest but had much rather receive his Tithe quietly, than have the advantage of the Statute, with the trouble and charge of prosecution: Wherefore the Quakers are cruel to themselves, who know the mischiefs of refusing to pay, yet much against the Priests minds, wilfully run into them.

Page 434. If T. E. be still ignorant of the reason why Tithe should be paid without deduction for the Charge of making it ready, it is because none are so blind as they that will not see: For supposing nothing had been abated by the Landlord in Rent, nor nothing taken out of the Tenth part of the Profits to make satisfaction for raising Tithes, yet it is a reason sufficient why the Priest should not compensate for it out of his

Tithes, in that the ancient Owners who gave and settled Tithes, ordered them to be paid intire without any such deduction, even as the Donors of Rent-charges to the Poor also do. And for their granting Tithes thus made ready, there was a good reason, viz. because the Priests might not be forced to labour themselves, lest thereby their attendance on Spiritual Ministries should be hindered: *That they may so much the more diligently pour out Prayers to God for us*, saith our Charter. For which reason (as *Philo* notes) God gave the Levites Tithes without their own making them ready. The same also is *Origen's* reason why Gospel Ministers should have Tithes prepared by the People: And the Council of *Mascon* fully expresseth it, *That being hindered by no labour about unlawful things, they might have more leisure to attend Divine administrations*. *Seld.* pag. 58. Our Ancestors considered that God had enjoined the Clergy wholly to attend the work of their Ministry, 1 *Tim.* iv. 15. and liked not their entangling themselves in the Affairs of this life, 2 *Tim.* ii. 4. and the Ecclesiastical Canons fordid it; *Apostol.* Can. 6. *Concil. Ellib.* Can. 19. *Concil. 1. Carthag.* Can. 6. & Can. 9. *Concil. Chalced.* Can. 23. &c. So that in order to the enabling the Clergy to observe this part of God's revealed Will, and the Churches Law grounded thereon, they did appoint their Maintenance should be made ready to their hands, and paid intire. And that instance of *David's* Law about the Division



vision of Spoils, 1 *Sam.* xxx. 25. shews, They might not only do it for their own time, but bind their Posterity to do it after them; for that Law of *David* not only stood during his time, but *from that day forward he made it a Statute and Ordinance for Israel unto this day*, (saith the holy Text :) And *Josephus* affirms it was observed among his Posterity. *Jos. Antiq.* l. 6. cap. 15. Now if *David* could make a Law to oblige his Posterity in the disposing of Spoils taken long after his own time, to the taking of which he contributed nothing: Much more might *Ethelwolf*, and all his Subjects, bind their Posterity in the disposing of the Profits of those Lands which they left them to raise the whole Profits out of. Besides, our Ancestors followed God's example in appointing Tithes to be paid without deduction for the Charge of raising them; for He did appoint so in the Case of the Levites, to whose Cities and Store-houses, or else to *Jerusalem*, the Jews carried them *grains*, and paid them there in-tire: Now God cannot be the Author of an unjust thing. And for *T. E.*'s poor shifts, it signifies nothing to say, *It was not unjust in Canaan because it was fruitfuller than our Country*: For if our Land be less fruitful, it yields less Tithes, which is mowed and reaped with less Charge: And it is as frivolous to pretend *it was not unjust under that Polity*; for that which is an Oppression in it self, is so under all Polities. But his saying *Tithes were then an exchange for Land*, is a notori-

ous falshood; for if we compute their 48 Cities with their Suburbs, and compare them with the breadth and length of *Canaan*, it will appear they had (besides their Tithes) a bigger proportion of Land (though it lay dispersed) than any other Tribe had: Nor yet doth he know that *Canaan* was managed with half the Charge of our Land, though he boldly asserts this which he cannot prove; and yet if it were so, it is to be considered that the Jews were at the charge of Carriage of their Tithes made ready, either to the Levites Cities or *Jerusalem*, which was sometimes a long way from them, and from this Charge our People are free; and yet in so fruitful a Land, and so large quantities of Tithe, the Carriage alone would be greater than one half of the Charge that our People are at in all: And this will make it as easie here as it was there. So that his pretended difference between *England* and *Canaan* is grounded on miserable mistakes; and therefore he is forced to beg the old Question, and affirm, *God doth not require us to pay Tithes without deduction here, as he did there*: But having proved the *Jus Divinum* of Tithes before, I will not repeat those Arguments; only he may note that every thing is not an oppression nor unjust which is not required by an expresse Law of God: if the Laws of the Land require this payment without the Priests pains or charge for wise, pious, and good reasons, taken from God's example in a like case, and inferred by necessary consequence

quence from his Laws in the N. Testament; that secures the thing from being an oppression, and makes him that calls it so a Blaphemer.

Pag. 437. Finally, though I did prove it was not needful any compensation should be made by the Priest for raising Tithes, yet I did before shew, how some ingenious persons thought that God made a compensation: But I did not throw this Pearl before T. E. I knew he that did not value Christ's *ipse dixit*, but was so impious to say to our Saviour's words, *Matth. xxiii. 3. -- Nay, Hold there, &c.* (in his first Book, pag. 20.) He would certainly slight S. *Augustine's ipse dixit*, and he that despised the Master, was like to contemn his Servants. The prospect of which made me turn away from him in my former Book, pag. 217. and say, *To let him alone I will tell more sober men:* and such do understand both S. *Augustine* and *Spelman* to be above his scorn, and their sayings to be no less rational, for the contempt which T. E. pours on them. *The Earth and the fulness thereof* (that is, the Land and all the Profits) *are the Lords, and of him we receive them both:* How then can it be unreasonable for us to make ready the Tenth part of these Profits for him without deduction, who gives us the other Nine, and is willing we should enjoy them? And on this condition we give him the Tenth only, he requires no bigger part, and is it not very reasonable he should have that made ready? This

is *S. Augustine's* way of computing the Husbandmans compensation. And for Sir *Henry Spelman's*, I propos'd it to the ingenious as a different way, and so no wonder if it be not the very same, yet is it also rational enough; That of our Time (which God gives us without our pains) he should have a larger proportion, but of our Profits (which come by his blessing on our Labours) a lesser: a Seventh of that; and but a Tenth of these, to compensate our Pains in making them ready. And though Quakers and Atheists despise these arguings, it is enough to my purpose if the Sober part of men who own Providence do think any of these ways a sufficient compensation: For if any of them be approved by such as are fit and impartial Judges, then it is no injustice to require Tithes without deduction, God's bounty and his blessing deserve such a proportion intire: The Ministers pains do fully answer it, and his profession as well as his duty requires it. The Law hath made abatements to the Occupant in consideration of his charge and pains in preparing the Tenth, and so hath the Landlord also: And though the Quaker study to make the Priests as odious as he can, yet he can never make it heavier to pay a Tenth part of that which God sends in a bad year, than to pay a full Rent in such a year; which is (as he reckons) the third part of the whole Profits in a good year; if there be a manifest decrease there is very little Tithe; that decreases also, but the Rent is as big as ever. And  
though

though the Priest take as much spiritual pains in a bad year as a good one, he is content with a lesser quantity of Tithe, yea, and often to my own knowledge, forgives all or part of his dues, to such Parishioners whose poverty or losses plead for it. Nor can it be an injury to the Tenant in a bad year to pay Tithes; for (since he was allowed in his Rent after the proportion of a good year) he doth not pay so much in such a year as he was allowed in consideration of his Tithe. The Priest is pleased with his Tithes in kind, if they be worth but twenty shillings, and yet it may be the Landlord allowed the Tenant five pound upon that account: And put the case in a bad year the Tenant by Covenant be to be free from paying Tithe, to be sure he hath a Tenth part more Rent to pay for that privilege at least, which (in such a year) may be more than his Tithe in kind is worth; and then 'tis plain that he who is Tithe-free in a bad year, and a decreasing Crop, is the greater loser. Hence it is that the all-wise God, and our judicious Ancestors following his Example, ordered that Tithe should be paid in kind, that it might rise and fall with the Crop, and with the Husbandmans ability: And since the Parsons livelyhood and the Countrymans is deposited in one bottom, this justly makes the Clergy sensible of their dangers and losses, and engages his Prayers for the averting Droughts and Deluges, Blasting and Mildews, &c. which will hurt his Tenth part as well as their Nine. But T. E. dares call



call that foolish and unjust, which God himself, and the wisest and best of men, have recommended as prudent and full of Equity.

§. 21. **P**Ag 441. There was enough said before to convince any man of reason, *That Tithe was easier to us Christians now than it was to the Jews of old* : but T. E. is by his self-conceit made incapable of apprehending when he is confuted, and therefore he stands to his old mistake, not caring to fall foul upon his great Master, *Selden*, and his divine *Scaliger*, from whose *Diatriba* I took this computation ( though I sent this Quaker to *Goodwin* for it at the second hand, because he had it by him) and though the account be approved in Mr. *Selden's* History of Tithes, chap. 2. pag. 17. the Quaker resolves to confute it, but 'tis with an Argument that leans on nothing but falshood and fallacy: For he fancies we are all mistaken in that we do not deduct the Seed sown (out of which the Profits came) before the Tithing; when as all that understand the Jews practice know, they separated their Tithe in the first place, before any such deduction of the Seed. As for the Text which he cites out of *Deut. xiv. 22.* it doth not belong to this first or *Lewites* Tithe spent in Feasts, as his own Author will tell him, *Seld. Hist. Tithes, chap. 2. p. 13. & Junius & Trem. not. in Deut. xiv.* And for those words in our English Translation there, *Thou shalt truly Tithe all the Increase of thy Seed,*  
 &c.

&c. from whence he confirms his Argument, it is only the ambiguity of the English word [*Increase*] which gives colour to his false inference; for though in English the Increase of the Seed, may be strained to signifie, That which is over and above the seed sown, yet there is not the least foundation in the Original for such a Cavil; for in the Hebrew it is literally thus, *All that cometh of thy Seed*: and Buxtorf out of Maimonides and others, saith, the word signifieth *The product of the next year*; Jun. & Trem. *Omnem proventum sementis tuæ*; Vatab. *Cunctos proventus*; Vulg. *De cunctis fructibus tuis*. LXX. Πᾶσις γέννημα & τὸ σπέρμας σε. All which plainly imply the whole Crop was to be tithed without any deduction: And the English Version used the word [*Increase*] in the same sense, for all that grows in one year. This Cobweb therefore was to catch Quakers who could not search the Original, and he was, as Tacitus speaks of Nero's Orators, *secure, because of the credulity and easiness of their Auditory*: But to men of Learning 'tis a ridiculous Cavil, and therefore the Account remains firm, nor was the Seed to be deducted before Tithing among the Jews: And unless (as Seneca saith of Piso) *he count it better to be pertinacious than to be penitent*, T.E. must recant this foolish Error. Secondly, That which was paid as a Tithe to the Poor, the Widow, and the Fatherless, was never taken out of the first or Levites Tithe, no, nor yet out of the second Tithe for Feasts at Jerusalem, as seems very plain from

from that place of *Tobit* (which is good evidence for a Jewish Custom) where he saith, *He paid his first and second Tithe every year, and yet added a third Tithe for the poor every Third year, Tobit. 1. 7, 8.* And *Josephus* expressly saith, *Besides the two Tithes which every year you are commanded to pay, one to the Levites, another to the Feasts at Jerusalem, there is a third Tithe every third year to be given to the Widow, the Poor, and the Fatherless; Joseph. Ant. 1. 4. cap. 17.* And this extraordinary Tithe superadded to the other two, made this Third year to be called, *The year of Tithing, Deut. xxvi. 12.* Nor is it likely that the Feasts at *Jerusalem* were neglected every third year, or could be maintained without their usual allowance, which they could not have, if the Tithes which furnished them had been given to the Poor every third year; and though *Mr. Selden* be of a contrary opinion, yet 'tis made plain he cites the Rabbins wrong, and is grossly mistaken in this matter: see *Nettles confut. of the Jewish part of Mr. Seld. Hist. of Tithes, pag. 78. &c.* Wherefore the Jewish Husbandman raised a stock for the Poor, as well as the Christian, and that beside his Tithes. But admit the second Tithe for Feasts had been taken out every third year as a stock for the Poor, yet still the Jews paid far more than the Christians do: Every year the First-fruits, viz. a fourth, fifth, or sixth part (now not paid at all) and also a full Tenth of the whole Profits, without any *Modus, Custom, or Composition*.

on (which now considerably lessen the Christian Tithes) and for two years together, another Tithe out of the tithed Nine parts (now never required) for Feasts: So that in these two years a Jew paid far more than a Christian, and even in the third year (setting aside the Poors Tithe) they paid a fuller Tithe than Christians pay, and First-fruits beside: But *T. E.* shall see it in his own Example of a Farm of 90 *l. per Annum*, where he reckons largely for the Christian.

The full Profits (according to *T. E.*) of 90 *l. per Annum* in three years are 810 *l.*

Out of this the Christian pays to the Priest besides what he pays to the Poor (according to *T. E.*) the sum of 81 *l.* for his Tithe.

The Jew pays Three sixtieth parts for First-fruits; about 13 *l.* 10 *s.*

Three first or Levites Tithes, deducting First-fruits 78 *l.* 00 *s.*

Only two second Tithes, as *T. E.* will have it, 48 *l.* 00 *s.*

The total of a Jews payment, besides what he paid to the Poor, 139 *l.* 10 *s.*

So that allowing *T. E.* all his own unreasonable Suppositions, and the Jew in 3 years would pay at least 58 *l.* more for Tithe of the same proportion of Profits than a Christian; that is, far above half as much more. And if we reckon according to truer Measures, the Christian Priest seldom receives above 30 *l.* in 3 years for such a Farm; but the Jewish Priests would receive 139 *l.* a year, that is, at least five times as much, and yet after all this the

## The Right of Tithes

the Jew was to raise a stock for the Poor besides, as well as we do, and the Text seems to intimate the Levite had his part of that also. And now what face can *T. E.* put on to brazen out such evidence? The Canes of *China* are hollow, and yet hard as Iron; a fit Emblem of our Adversary, who is empty of solid reason, but supplies those defects with inflexible obstinacy: Which makes him go on in his cavilling way to affirm, Thirdly, *That the Christians pay Tithe of more things than the Jews did:* Which is false; for if (as he supposes pag. 69.) the Law required *Tithing of Mint, Annise, and Cummin*, doubtless greater things were not excepted. God assigns *All the Tenth in Israel*, Numb xviii. 21. And the Pharisee professeth he paid *Tithes of all he possessed*, Luk. xviii. 12. And the Commentary on the *Talmud* saith, *Tithe is to be paid of Usury of Merchandise, and every thing that a man gaineth by*; Com. in Talm. Tagnanith, cap. i. fol. 9. But of these gains Christians do not pay Tithes, nor of many other gainful things, as we noted before; and we observe also they paid not only the Tithe of Cattle as we do, but also the first Calf of every Cow, the first Lamb of every Ewe, &c. which was over and above the Tenth, and would come to near as much more; neither had they any Customs or Compositions to diminish their Tithe as we have; for if they commuted their Tithe into money, they were to add a fifth part more, Lev. xxvii. 31. for fear they should not give the full worth of the Tithe; ~~not he~~  
hath



hath still the boldness to say Tithe is a heavier burden on us than on the Jews, *Fourthly*, He doth not know what charge the Jews managed their Land with; there were barren as well as fruitful parts in *Judea*, but the same Law of Tithing by God's order stood for all kinds of Land; and the difference of increase between their Land and ours is nothing to the purpose, because their larger Crops pay larger Tithe, and our lesser Crops pay less; and though their Land was of different fruitfulness, yet all paid the tenth, and they had bad years as well as we, but still the proportion was a tenth; and if it were just to order it so then, it remains to be a just thing still. *St. Hierom* calls it *A wicked sort of Discourse to draw the Scripture to our Opinion against its will*; and yet so *T. E.* Discourses here, when he abuses that place of the *Levites* having no part with the other Tribes (i.e. no intire Country together) to disprove that, which the Scripture plainly affirms, viz. that the *Levites* had Cities of their own. *Adrichomius* reckons up Seventy of them by name. *Descr. Ter. Sanct.* p. 58. Nor are all our Glebes and Parsonage-houses in *England*, so great a part of this Country (which is much the larger) as those Cities (which Scripture mentions) were of the Land of *Canaan*. And if the Priests here have temporal Inheritances, it is because they descend from all sorts of Families with us, and not from one Tribe, and their Sons are often Lay-men (as many of

their Fathers were ) and then their Inheri-  
 tances return among the People again ; nor  
 can it be an injury to any man in *England*,  
 that I ( who only have the right to it ) en-  
 joy my own Patrimony ; or who can justly  
 say they have less, because I have my own ?  
 The Riches of our greater Clergy have been  
 from very old Donations, and many of those  
 Donations made by the Clergy themselves :  
 Nor are they higher or richer than those of  
 the *Levitical Priesthood* were ; the High-  
 Priest then was the next man to the King,  
 and the *Levites* ( for the most part ) were  
 the Judges ; and *Philo* in that Book of *The*  
*Rewards and Honour of the Priesthood*, saith,  
*That Priest which had least might be accounted*  
*very Rich* — And again, *By their Revenues*  
*it appears that the Law intended to make them*  
*Equal to Princes in Majesty and Honour* —  
*for they abounded not only in necessities, but also*  
*in all that was curious and delicate :* thus *Phi-*  
*lo*, who very well knew the state of the  
 Jewish Priests ; as also did *Josephus*, who  
 tells us that there were one hundred and  
 twenty thousand of the *Levitical Order* in  
 his time, yet none of them wanted a good  
 Provision ; whereas there are not much more  
 than ten or twelve thousand in *England*.  
 And surely it is a strange Paradox that it  
 should be a greater burden for *England*  
 ( which is so very much bigger than *Canaan* )  
 to maintain twelve thousand Clergy-men  
 with a lower Maintenance, than it was for  
*Canaan* to maintain above ten times as many,  
 with

with a more plentiful allowance. Their Tithes were more than ours, and so were their Offerings also in that populous and (as T. E. saith) fruitful Country, as I shewed in my first Book, pag. 221. And for Deductions also, they had none that were considerable, in respect of what we have now, so that he had little need to require the Priest to pay the Clerk and Sexton for doing the Parishes work for them, since he hath not so much as a *Levitical* Priest had. Thus T. E.'s notorious untruth is detected, and all his ignorance and mistakes laid open in this matter, so that I conclude with St. *Augustine's* saying to *Cresconius*, *What need wast thou, I pray, when you had undertaken to defend a rash falsehood, to raise such clouds of darkness as might obscure the most manifest Truth?* Aug. *Cresc.* His flying to such Sconces is a sign of a bad baffled Cause.

Pag. 448. The rest of this Discourse is a continuation of like mistakes, for Tithes were not introduced into this Nation at first under pretence of Alms for the Lay-poor. King *Ethelwulf* himself, who gave Tithes to the Church, made another Donation to the Poor. *Spelm. Concil. T. 1. p. 352.* and not only St. *Augustine* but our *Saxon* Laws declare, that besides Tithe to the Priest, Alms is to be given out of the nine parts to the Poor, as was shewed before; nor was it the Tithes of Parish Priests (the Subject of our Discourse) out of which the Statutes

cited by *T. E.* order a provilion for the poor, but the Tithes of Churches Appropriate, and to apply this to the Tithes paid to Parish Priests, is an evident fraud, and may be discovered by consulting those Statutes, 15 *Rich.* 2. 6. And 4 *Hen.* 4. 12. *Thorp* indeed calls Tithes the *Parish Goods*, But he brings not one word of Common or Civil Law to prove they are so, and doth *T. E.* think *Thorp's ipse dixit* will pass with me? The Clergy indeed while they enjoyed all the Tithes were so bountifull of their Charity (not by human Laws compelling) that they were the only Overseers of the Poor, and would be so again if they had their Rights intire. As for the injunctions of Queen *Elizabeth*, they only require Non-residents to give the Fortieth part of their Benefice to the Poor, and I know divers of them who give much more, nor can they be excused from impiety and ingratitude, who do not voluntarily give as much as is there required: And if *T. E.* and others will pay their Tithes exactly according to one of those injunctions, *viz.* the Fifteenth, I will assure him the Clergy shall observe whatever is there enjoined to them; and 'tis but reasonable *T. E.* should obey that which he makes a rule for others. Were Tithes of all the profits in *England* now fully paid to the Clergy, they might undertake to give to the Poor as good an Allowance as the Laity now give them; but alas in many places they have by Impropriations, Compositions, Customs,

stomes, Exemptions, &c. their Tithes so much impaired, as there is scarce enough left for themselves; yet as it is (if envy will let men speak truth) it must be confessed, that the Clergy generally give more to the Poor than any sort of men in the Kingdom, who have no better Estates than they have. To conclude therefore, Tithes were rightly given to Ministers, and are settled on them by good Laws, and are an equitable payment, not really burdensome to any, far less than what God allotted the Jewish Priests, and are now employed for the maintaining those that perform Divine Offices, and of what can be spared from thence, the Poor are Relieved: and therefore there is no reason to Repeal the Laws that enjoin them.

§. 22. **P**Ag. 451. We have now done with the main Question, and seen by what evident falshood and poor fallacies *T. E.* hath attacked the Clergies *Civil Right to Tithes*; *Mormoes* dressed up only to amuse his Quakers, but like the Furniture of that Enchanted House at *Corinth* which vanished at *Apollonius* his entrance into it, these Phantasms do all disappear as soon as a judicious Reader views them: yet still he will wrangle about other matters, resolving to make his Party believe he hath confuted every thing I say. I observed before that the Apostles themselves shewed the way of fixing the Clergy: That *St. Paul* fixed *Timothy*



thy at *Ephesus*, Scripture and Church-History sufficiently assure us (k). And for the Journeys he went by St. Paul's Command, most of them were performed before his Orders to abide at *Ephesus* (l). As for his going into *Greece* and to *Rome* afterwards, upon the Churches business; that doth no more unfix him, than a Bishop is unfixed by going to his Metropolitane, or to a Council, or a Priest by his attendance on his *Diocessans* Synods, or at the Convocation. And the very same is to be said of *Titus*, of whose being left Resident in *Greece*, there is abundant proof (m), and many of his Journeys also (objected by T. E.) were before his fixing (n). Nor do the rest unfix him. And St. Chrysostom gives this Reason why St. Paul writ not to *Silas*, *Luke*, and *Clement*, but to *Timothy* and *Titus*, because those were employed in travelling up and down to plant the Gospel, but these fixed in a certain place for the Governing of Churches planted, for which he gives them rules. 'Tis evident then that the Apostles first began to fix the Clergy; and my Friend and I both agree that the Apostles themselves, were unfixed, and so could not receive Tithes, but they began to fix others unto whom (as soon and as oft as the times and state of the Church permitted) First-fruits and Tithes were paid: And what contradiction is there in this? Doth my saying, the Apostles fixed others, contradict my own or my Friends affirming, that they were unfixed themselves?

If

(k) 1 Tim. 1.3. Euseb. l. 3. cap. 4. Conc. Chal. Act. 2. Chrysost. hom. 15. in 1 Tim. Theophylact. Prolog. ad Commen. ibid. Hieron. catalog. script.  
 (l) See Dr. Cave Lives of Apostol. men. p. 48.  
 (m) Tit. 1. 5. Euseb. l. 3 c. 4. Ambros. pref. ad Com. 18. Chrysost. hom. 1. in Tit. Theodor. Arg. Epist.  
 (n) See Dr. Cave Lives of Apostol. men. p. 58.

If he have any modesty left, let him blush for such unjust accusations. As to the account of the progress made in fixing Bishops and Pastors after the Apostles times, I doubt he hath scarce convinced the World by what he hath hitherto written, that he understands *Eusebius*, and other Church Histories very well; if he doth, he is to answer for the Arrogance of representing those Catalogues of fixed Bishops as incredible, which he cannot disprove, and which have hitherto passed for Authentick among all learned men; now these Catalogues do prove there were fixed Bishops from the very beginnings of Christianity, in the sense I used that Phrase; (as Mr. *Selden* uses it also, *Hist. Tithes*, p. 119.) that is, from the earliest times after the Apostles; when the Gospel was well planted and Churches fully converted. Then there were Canons made to forbid the Clergies wandering out of their own Diocess (then called [parochias] Parishes) viz. *Can. Apostol.* 14, 33, 34, and 35. in some of which Canons the very word *Parish* occurs in the notion of a Diocess. And as soon as the Church was settled, those Canons were re-inforced in some of the most Eminent and Authentick Councils, *Concil. Nicen.* 1. *can.* 15. *An.* 325. Mr. *Selden* shall relate the rest, who in his History of Tithes, *Chap.* 6. §. 3. p. 80. cites *Concil. Neocæsar.* [ *An.* 313. ] *Concil. Antioch.* [ *An.* 341. ] *Concil. Sardie.* [ *An.* 347. ] to prove, that very anciently there were Parishes appointed and

divided to several Ministers, under the Bishops rule, according to the convenience of Country Towns and Villages, And (saith he) the Curates of those Parishes were such as the Bishop appointed under him, to have care of the Souls in them, which the old Greek Councils call *πρεσβύτεροι ἐκχόραιοι*, or *οἱ ἐν ταῖς ἐκχόραις*, or *ἐν ταῖς κοιναις πρεσβύτεροι*. And the same Author referring to this Discourse, saith afterwards of the Britains, We may very well think that such kind of Parishes only were in those Bishopricks, as we have already shewed to have been in the Primitive Church elsewhere. Hist. Tithes, Chap. 9. § 1. p. 24. so then it appears from a Historian (which T. E. I hope will believe) That there were Parish Priests fixed by Bishops as early as *An. 313.* that is, as soon as the Church was settled under *Constantine*. And that this was first done by the Greek Bishops, and so not by a Pope. Lastly, That the like was done by the British Bishops here, who had no dependence on the Pope at all; and this last particular is affirmed in that very place of *Selden*, Chap. 9. §. 1. which this audacious man cites to prove the contrary; according to his wonted Integrity and Modesty: wherefore the Canons of the Council of *Chalcedon* for the Church in General; and of *St. Patrick's* Synod for this Church of *Britain*, prohibiting unfixed Ministers, were Confirmations of Ancient Constitutions; and altogether, do evince, that the Clergy was fixt, and had Parishes allotted them in *Britain*,  
and

and elsewhere, before the Popes Supremacy was maintained, or Popery had corrupted the Church, nor was it done first by his Authority, both Parishes and Tithes being elder than his Supremacy. As to the Saxons, T. E. grants Parishes were divided among them by *Honorius* or *Theodorus*, that is, as soon as they were generally converted, and the History of *Wilfrid* before, shews our Arch-bishops obeyed the Pope no further than they pleased in that Age: Neither was *Honorius* ordained by the Pope, but by *Paulinus*, Bishop of York, as *Bede* informs us, which was according to the fourth Canon of the *Nicene* Council, viz. That the Bishops of every Province should be ordained by the Bishops of the same Province; and the Epistle cited by my Adversary out of *Bede*, is according to this Canon, to let our Bishops know, they need not go to Rome for Ordination, as having a Power to do it among themselves; nor doth Mr. *Cambden* intimate any more than that our Bishops followed the Popes example (which they might safely do in a matter wherein he followed the Primitive Patterns) but *Cambden* doth not say they did divide Parishes by the Pope's Authority, that is T. E's own Dream; as is also his suggesting that I call the first Planters of the Gospel Vagabond Speakers, for it was those who (after the Church was settled) without any just Authority rambled about, as the Preaching Fryars did of old, and the Quakers Speakers do now; such as  
these

these are called *Magabond Clergy*, in *St. Patrick's Synod*, *An. 456*, and were not allowed after the settling of the Church, which is a manifest proof of the early fixing of the Clergy, and a fair probability that Tithes were paid early also.

S. 23. **PAG.** 459. It was no less than the wonderful Grace and Providence of God, that the Apostles even in their first Preaching of a Doctrine so unlikely to take in an evil World, should be so plentifully provided for, that they did not need Tithes, when they had no convenience to receive them. The Believers sold all, and as that Phrase [*laying it at their Feet*] imports, put the price into the Apostles power, who were Judges of every mans need, and had the absolute power of disposing, that which was dedicated to God. I have proved before out of *Justin Martyr* that this extraordinary renouncing of Propriety reached farther than *Jerusalem*, and lasted longer than the Apostles daies, for even *Tertullian* speaks of such a Community in his time. *Apol. cap. 39. p. 31.* And if it were not practised in other places, yet even there the Apostles had liberal presents and rewards, *2 Cor. xi. 8. Phil. iv. 18.* so that *St. Paul's* labouring and wants, was the effect of his refusing to receive supplies, for special reasons appropriate to that time. Wherefore while this extraordinary way continued, even *Mr. Selden* thinks they had no need of Tithes; see his  
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Review, p. 362. But now if Ministers be pressed to follow the Apostles Example (as my Friend rightly observes) the People must do as the Believers did then: The Example shews both what the People gave then, and what the Ministers did receive, and if it oblige on one side, it must do so also on the other; yea, since Giving must be before Receiving, the Ministers cannot be obliged to follow the Apostles Example in being content to receive such a Maintenance, till the people begin first and do as the Believers then did; and we (who believe this to be an extraordinary Example, and so not obliging either Priests or People now) will not press them to sell all, and put the price in our power; if they do it, they shall do it as freely as the Believers did then; and till they do so, 'tis certain we are under no necessity to receive such a Maintenance as neither is, nor (I think) never will be offered us, yet, if it were (because F. E. loves to make wild suppositions) I think no man will say we quitted our Tenth when we received that and the Nine parts also, for *Omne majus continet in se minus*; and he that receives a Tithable Estate, given freely to his Church, surely doth not quit his Tithe of that Estate, for he now hath that and the Estate together. In the rest of this Section he follows me as Tisaphernes did Xenophon, raising Fire and Smoak at a distance, but avoids all close encounters. As for our War, it is no other but only defensive; to preserve what we possess,

sefs, and they raise the War that invade other mens Rights, and if they suffer in so unjust a cause, they ought to blame no body but themselves.

§. 24. **PAG. 464.** I had so much charity for my Adversaries, that I endeavoured to shew them, they might without sin pay their Tithes imposed by the Kings Laws, even though they believed they were not due, by reckoning it as a piece of Passive Obedience, which I thought they might very well do, who count them a part of their own Estate unjustly taken from them. 'Tis true, the Law enjoyns them actually to set out their Tithe, and so it doth, that a man who is fined (even when he thinks his Fine unjustly imposed) shall separate this sum from the rest of his Money, and actually tender it; and yet his paying that Fine is a piece of Passive Obedience: And there are but few instances of Passive Obedience, wherein the submitting Party doth not do some Acts; as, going towards the Stocks, or the Prison, tending his Fine, &c. which Acts do not change the nature of the Obedience, nor make it Active. It is a suffering, no doubt, to part with that which a man accounts his own, be it Corn, Hay, Money, or any thing else; and since the Law (by threatening treble damages) forces him to separate this Part of that which he calls his own Goods; it is no voluntary act in him, his will doth not consent, and 'tis  
con-

consent only which can make a thing sinful; so that this Payment seems to me to be a piece of Passive Obedience in a Quaker, and no sin. But I shall not contend about words, having proved before by diverse Instances and Arguments, *That a man may submit to a payment which he thinks unjust, without sin*: So did our Saviour in the Case of the Tribute; *Matth. xvii.* which he made *Peter* actively procure and tender, and yet declared he did not think it due; nor was this a Civil Tribute to the *Romans* as *T. B.* mistakes, but a Religious Tax for the use of the Temple; see *Ham. Annot. in loc.* And Christ's words do plainly declare as much, for it being a Tribute to the King of Heaven whose only Son Jesus was; therefore he had no right to it. *If the King's of the World, receive no Tribute of their own Children, but of Strangers* (for their Subjects are called in comparison of Sons who are so much nearer to them) *what reason is there that the King of Heaven should receive it of me his Son?* For this Tribute was paid to the Priests and the Temple. *Theophylact in loc.* Now Christ did no Sin, and yet he paid this Tax even when he had proved it was unjustly demanded of him: Therefore if the Quakers could prove Tithes unjust, they would not sin in paying them; yea, if they will be followers of Christ, they must pay them rather than offend the Demanders, and the Authority that requires them. Again, the Primitive Christians paid all sorts of Custom and  
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Tribute under the *Roman* Heathen Emperors, though some of these went to uphold a false Worship, and were employed about Idolatry. *The Tributes and Customs appointed by you, we every where, and in the first place, pay to your Officers, as we have been taught by Christ, saith Justin. Mart. Apol. 2. p. 64.* The poor *Greeks* do the like to the Grand Signior, though he spend part of that Tribute on his *Mahometan* Worship. And I can now positively affirm, that not only the *French* Protestants, but others of the Reformed Religion who are allowed to live in Popish Countries where Tithes are due by Law, do all pay their Tithes to the Popish Clergy, and yet they neither partake of their Ministry, nor like it; no more did many of the Royalists, in the late Rebellion, like the Ministers and Ministry of those times, and yet they paid their Tithes to them, and so do the Papists to us now. These latter instances *T. E.* can say nothing against, and they are direct to the Case, and shew that the Opinion and Practice of all but Quakers declares, it is no sin to submit to a payment imposed by lawful Authority, though we think it unjustly imposed. The thing being thus made out, I leave it to the Quakers to do what they please; I need not cogg with those, whom the Law compels; but if *T. E.* or any other of them turn again and rent me, abusing my Charity with the name of Cogging, I shall leave them to their silly but cruel Guides, who against all Reason and Example,

ple, expose the poor wretches to Prisons and forfeitures, by making them believe a Lye, viz. that what Jesus himself, and the best Christians have done, is a sin: And doubtless all they suffer, is a just penalty for their believing such blind Guides as T. E. who hath not brought us one good instance to prove it a sin to submit to an unjust payment, but binds the miserable Quakers Fetters on with Straws and Rushes, a few petty Cavils: For may not a man as innocently separate his Tithes as his Fine? May not he set out his Tithes with his own hand as lawfully as go to Prison on his own legs? Though a man may not put himself to Death, yet he may stretch out his hand and give notice he is ready, as well as go to the place of Execution without sin, or without the guilt of inflicting a punishment on himself, even though he die by an unjust Sentence; if it were sin in the Law commanding, tis none in the Party who is compelled by Law to do these things. And for a mans circumcising himself or sacrificing, these are Ceremonies expressly repealed in the New Testament, which Tithes are not, nor are they (as now paid) any Ceremonies at all, as is abundantly proved. And it is ridiculous for T. E. to say Tithes were a part of the Offerings which by the One Offering were ended; for those were Offerings to expiate sin, and so were not Tithes reputed, no not under Moses Law; yet, these poor shifts and old baffled Cavils are all he hath to oppose to the common consent of all the  
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Christian World; and if this stuff will fright the Quakers into sufferings which they might innocently avoid, they deserve no pity.

§. 25. **PAG. 470.** That Tithes do afford <sup>30000 l. per Ann.</sup> to the Crown of England, the Quaker dare not deny, and cannot disprove. And to those who love their King and Country, and desire the safety and welfare of both, this is one good Argument, among many others, why Tithes should be continued, which contribute so considerably toward the publick defence, by a standing Revenue, from which Lay-possessions are free, and yet bear an equal proportion, with other Estates of Assessments laid on by Parliament. And if *T. E.* said more words against Tenth, yet the sense of his Objection was no more but only, *That this Flower once stuck in the Pope's Miter;* and did not the Supremacy it self once do so? Did not Investitures and Collations to Ecclesiastical preferments once stick there? Yea, the *English* Crown it self in King *John's* daies was once in the Popish possession, and should his Majesty, for that reason, now renounce it, and all these Rights of it, as well as the Revenue of First-fruits and Tenth? Yet we have Examples of First-fruits and Tenth paid to our *English* Kings, before the Pope had them stuck in his Miter. *Spelman* mentions the Tenth paid to King *Richard* the First, *An. 1189.* adding, *That*

That by this Example after Kings had the like.  
Spelm. Glossar. vetb. Decima Saladina,  
p. 166. And there is another instance of  
First-fruits given to the Crown by a Parlia-  
ment, Anno 1307. Whereas Walsingham  
(who goes the highest) places the usual  
payment of them to the Pope out of this  
Nation, Anno 1316. And T. E. may now  
read more than ever he read before, viz.  
that First-fruits and Tenths stuck in the  
English Crown before Henry the Eighth  
stuck them there. Nor is it a light Argu-  
ment for the continuance of Tithes among  
considering men, that out of them the Cler-  
gy pay a Tribute which owns the King's  
Supremacy over them, and testifies their  
subjection to the Crown; for Tribute hath  
been the most usual and approved way of  
owning Supremacy, and they who pay it  
may expect Protection from that Crown  
which they help to support, by these as well  
as other publick payments. As for T. E's  
fancy, that if Tithe were taken away, the  
People would be more able to bear the pub-  
lick charges of the Nation, I dare assure him  
he makes them gape for a morsel, that will  
fall beside their mouthes; King Henry the  
Eighth at the Dissolution, pretended he  
would use the Lands and Tithes then given  
him, to the glory of God, and the profit  
of the Common-wealth. Spelm. of Tithes,  
cap. 29. pag. 166. But no such use were  
they put to; yea, the People in many places  
are now forced by Subscriptions and Con-

tributions, to maintain their Ministers (that were richly provided for before, and were not burdensome to any) and yet they pay their Tithes to Lay-hands besides, and 'tis well known that the poor (before taken care of out of the Revenues then alienated) are now left to the People to maintain. Thus also, *The Prince of Orange promised the Boors of Holland, that if they would consent to let the State have their Tithes towards the Maintenance of the War with Spain, if they prospered in the War, the People should pay no more Tithes to their Ministers: But when the War was ended, and they expected to be Exempted, they were told, Tithes were so considerable a Revenue, that the State could not well subsist without them,* Trelayne *Treatise of Tithes,* p. 26. So that if Tithes were taken from the Clergy, they would not fall to the Peoples share, either the Prince or the Great men would seize them, and if Landlords could get them, they would improve their Rents thereby, and leave the Tenants to maintain their Minister, and pay their publick charges beside, without that help they now have by the Clergies contributing thereunto, so that they would have more Brick to make and no Straw; and this is that wise Project which our Quakers drive at.

§. 26. **P**Ag. 473. The beginning of this Section is nothing else but vain brags, and nauseous repetitions, and the sum of it is, that if the Reader will believe that I have not made out any of my Titles to Tithes, and that he hath disproved them all, then Ministers are Hirelings. He may perhaps meet with a Quaker so ridiculous as to grant him all this, but I dare say no other Reader out of *Badlam* (as his own Phrase is) can he justly hope to meet with so strangely credulous. Whatever is like Argument I have answered before, and discovered the mistakes which he dresses in other words, and brings upon the Stage again: so that I shall only tell him my threefold Cord is not so easily broken. And he that conceals my Arguments, and falls upon my Conclusions, may prove himself a slip-string, not a Breaker of threefold Cords. But as to the present Question, Whether the Ministers be the Peoples Hirelings?

*First*, He seems to grant, the People do not set them on work; and that shews they are not their Hirelings; and though he pretend it is unjust to take wages of them that do not set us on work. I Answer, that the People do not set Souldiers, nor many other publick Officers appointed by the King on work, and yet they justly pay them Wages,

because they do ( in their way ) work for them, though they be not set on work by them: But in our Case,

*Secondly*, The People do not pay us out of their own, for *God would not have us live of the People, that they might not be puffed up*, saith *Theophyl. Com. in 1 Cor. ix. 14.* We live upon that part which is God's due originally, upon that which was freely given to the Ministry long ago, upon that which the Law hath as firmly settled on us as any man's Estate is settled on him, upon that which the Landlord never purchased, nor doth the Tenant pay Rent for it, that is, we live upon that which is God's and our own, and belongs to no man else: *Neither Landlords nor Farmers (as to Tithes paid to Ministers) are now (saith a Learned Bishop) the Proprietors or Donors, who are but only Trustees, Executors, and payers of a publick Debt laid upon those Estates and Land which they now hold, &c. — and a little after — The Tithes they pay are no more theirs than a Legacy is the Liberality of the Executors.* B. Gaud. Min. Maint. p. 28. and thus we see the People neither set them on work, nor pay them out of their own. The God who sends us, pays us out of his own Part, and our pious Ancestors secured this part to the Ministry by voluntary Donation and good Laws, Ancient and Modern; which give us a Civil Right to our Maintenance, and make that our own by Human Laws, which



which was our due by God's Law before, and can a man be a Hireling who takes his own? The Quaking Speakers indeed are Hirelings, in our Saviours sense, *For the Sheep are not their own*, John x. 12. Some straggling Sheep set them on work, and pay them their Wages too, and these flee from place to place, though no such violence be used to them, as was to the late Loyal suffering Clergy. And if those worthy Confessors be aspersed by the Quaker as Hirelings for diserting their Flocks (as he falsely suggests) when Armed men violently seized them, and clapt them into Prisons: What will his Friends prove, who flee from one Meeting-house, and one County to another, heeding no particular Flock, but scraping from all they come amongst? As to my Friends note, that he may as well call the Judges Hirelings, and say they sell Justice. I think he made good the Parallel: for if a Salary or Maintenance settled, make men Hirelings and Sellers of Duties, they perform in one Capacity, it doth so in another, yea, in all Capacities; only T. E. for fear of the Temporal Sword, dares not speak so plain against the Civil Magistrates. The Judges are Ministers and Servants of God as well as we, they represent him, and Act in his name in Temporals, as we in Spirituals; and if their settled Maintenance paid them for Administring Justice, do not make them Hirelings, neither doth ours.

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prove us so; yea, we have this advantage that they are paid by him that sets them on work, but we are provided for by an Inheritance long since given to us. The rest of this Discourse is to tell us, that in his Opinion (which signifies little after it hath been so oft convicted of mistakes) we are no Gospel Ministers, nor content with that Maintenance, which (according to his idle fancy) our Master allowed us. To this he adds that gross discovery of his ignorance, about Parishes choosing their Minister, and inveighs against the Priests about Curates, who, to be sure, are none of the Peoples Hirelings; but this being nothing to the Question deserves no Answer.

S. 27. **P**Ag. 481. That the Quakers ought to pay Tithes notwithstanding their separation, because they separate voluntarily, is shewed before. And all that is new here, is a pretended Cause of their separation, viz. the *Vice of the Minister*, for he asks in way of arguing (and such Questions are the most vigorous sort of affirmations) *If the Minister be a man of Vicious and Intemperate Life, and of a disorderly Conversation, such as the Apostle hath exhorted us to withdraw from, is not the Minister then to blame for the Separation?* 'Tis certain in the first place, that this Plea will not justify those who separate from virtuous

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Ministers, and yet Quakers separate from these as well as from the Vicious; so that I noted before, the Ministers Vice is but a pretence for them who resolved to separate however; now *T. E.* being unable to clear his Quakers of this Hypocrisie, pretends I did not Answer his Question; wherefore I now add, That a Vicious Minister is to blame for his Vice, but (as *St. Augustine* largely proves against the *Donatists*) the People who separate on that account, are to blame for the Separation; for the Ordinances are God's, and the Grace that makes them effectual is his, and he can work by incompetent Instruments, besides private Persons are to expect the sentence of Authority, it is not their duty to correct their Pastors faults; and till they whose Office it is do correct them, they are to mind their own Duty, and must not sin by separating, because another sins; the Priest must answer for his Vice, and the Superiour for his connivance, and so must the Hearer also for his Schism, for every man shall bear his own burden: But we must not expatiate into this Question; wherefore we will only note, *First*, What pitiful Equivocation the Quaker uses to excuse his Friends from separating from vertuous Ministers, pretending now he would be understood as reflecting not on our Conversation but our Ministry, and so he will not grant any of us are good Ministers; This is a shifting the

Scene, for are not his own words, *A man of Rigid and Intemperate Life, and disorderly Conversation?* It was a bad Life, and not false Doctrine, which he pretended was the cause of their Separation; and it was not our Ministry but our Conversation he reflected on, howsoever he would deny it now. But as to our Ministry, the Quakers are no fit Judges of it, and those who are, esteem our Ministry good. St. *Augustine* observes, that Separatists are usually the weakest sort of Men; *They are the chaff that are so soon blown out of God's Floor*, saith he; and are these competent Judges? Secondly, I deservedly taxed our pretender to Inspiration for abusing Scripture, viz. this 2 *Thess.* iii. 6. ——— *withdraw from every Brother that walketh disorderly*; which the Quaker applies to the Peoples withdrawing from their Ministers; whereas the word [*Brother*] there, plainly shews it is meant of their withdrawing from disorderly fellow-Christians, not from Fathers, as Ministers are called in Scripture, 1 *Cor.* iv. 15. 1 *Thes.* ii. 11. 1 *Tim.* v. 1. We indeed (as the Apostles did) call the People Brethren; but Scripture affords no instance of Believers calling their Ministers Brother; and here 'tis plain St. *Paul* only speaks how Christians should carry it to other private Christians in case of Vice, but he never gave the People power (of their own fancy) to withdraw from their Minister; and

and though the Apostle wished, no doubt, the *Galatians* should withdraw from false Teachers; yet, he intimates those false Teachers must first be cut off by Excommunication, *Galat. v. 2.* For He (whom Christ had made a Judge in this Case) was first to declare them false Teachers; whereas our Quakers expect no Sentence or Declaration from Authority, but though least able, are most forward to censure their Pastors, and then excuse one sin by another, their Separation by their rash censuring their Superiours. As for his railing and evil surmises of me, I wish T. E. had no more need to make an Apology for an Ill man, than I have for a bad Minister; and as *Seneca* speaks, *If Marcus Cato, wise Lælius, or one of the Scipios had said this, I should have been troubled:* But 'tis a Quaker rails at me and suspects me——and alas, 'tis their old Disease, they speak not what I have deserved, but what they are wont to speak of all those of my Profession.

Page. 486. It was the Donatists Question in St. Augustine's time, *Who did Christ use Violence unto? Whom did he compel?* Aug. Ep. 50. ad Bon. And T. E. in imitation of those Hereticks, asks, *Where did Christ empower his Ministers to make People hear them, whether they will or no?* And to prove Christ gave them no such power he cites two places, first, *Matth. x. 14.* where Christ  
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ordered those who went to Preach to Unbelievers, if they did not receive them, to shake off the Dust of their feet against them. And it was to Unbelievers that *Paul* and *Barnabas* used this Ceremony, *Acts* xiii. 51. and so is no rule for our proceedings in a settled Church among professed Christians, for these must be judged by the Church, if they do amiss, *1 Cor.* v. 12. Nor Secondly, will that other place, *Acts* xiii. 46. (where the Apostles turn from the Unbelieving Jews) do the Quakers any service, unless he will reckon his Quakers among those Unbelieving Jews, who judged themselves unworthy of Eternal Life, as that very Text speaks; which *T. E.* was so sensible of, that in this *Second Book* he durst not cite the words of that Scripture again, but shuffles in other words, to which I did not refer in this Note: But I produced an Express Text, where there is a Command, *To compel them to come in*, *Luk.* xiv. 23. *i. e.* to hear the Gospel there signified by a great Feast; this so galls the Quaker that he takes huge Pains to wrest this plain place, as Hereticks usually deal with Scripture, *Cum ipsi volunt corrigi, illam volunt depravari.* Aug. He tells us of a new sort of Compulsion by fair means; and cites many Texts where he pretends such compelling is spoken of; but he is still mistaken, for in some of these Texts, *Luke* xxiv. 28, 29. and *Acts* xvi. 15. and

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2 Cor. v. 14. There is neither the same word in the *English*, nor in the *Greek*, which St. *Luke* useth in the place urged by me, 'tis not [*Ἀνάγκη*] in any of these, nor is Translated [*Compel*] but [*constrain*] and so these are nothing to the purpose, where we enquire of the sense of the word [*Ἀνάγκη*] : And his other Texts where the *English* is [*compel*] and where that *Greek* word is used, do all imply, *The forcing men to do something against their will*: as 2 Cor. xii. 11. It was much against the mind of St. *Paul* to glory, but the *Corinthians* forced him to it whether he would or no. And *Peter* compelled the *Gentiles* against their will (for they were very averse to Jewish Rites) to live as did the Jews, Gal. xi. 14. And Christ's Disciples had no mind to leave him but he forced them to depart, *Matth.* xiv. 22. *Mark* vi. 45. Yea, there are other Texts where this very word, viz. [*Ἀνάγκη*] is used for forcing men by Terror of Laws and punishments, *Acts* xxvi. 11. *Chap.* xxviii. 19. and whereas T. E. talks of compelling by loving invitations, &c. let us but apply his own words, to one of his own Texts, and then we shall see how little Conscience he makes of abusing Scripture to serve his base ends. Did the *Corinthians*, 2 Cor. xii. 11. compel St. *Paul* to glory by kind *Invitations*, *loving Intreaties*, *gentle Perswasions*, and *Demonstrative Reasons*?

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*How ridiculous is this Exposition?* There is therefore more intended by the word, [ *Compel* ] than the Quaker is willing to allow, and since St. *Matthew* useth the word [ *Bid* ] they may well stand together, and justify the method we now go in, to call and invite dissenters first, and if they refuse, then to compel them; as for the man that was speechless 'tis possible he might come in by bidding [ for St. *Matthew* only speaks of him not St. *Luke* ] or if not, yet those who compelled him, told him of the danger of coming unprepared, and that left him without excuse. Thus much for that Exposition which is not mine only but St. *Augustine's*, in examining whereof the Quaker hath shewed neither Reason nor Truth. But as to the thing, supposing there were no express Precept in Scripture for this compulsion, yet if a Christian Magistrate ( who is commanded by Christ to punish evil doers, *Rom. xiii. 4. I Pet. ii. 14.* ) finding Separation mischievous to mens Souls, and Conventicles dangerous to the Government, do by Laws and Penalties compel men to come to the publick Worship where God's Word is Read and Preached, and his Sacraments Administred; these Laws do give us sufficient Power to compel the refractory. But then both St. *Augustine* and I do suppose the thing to be good in it self, to which men are compelled

pelled, and if it be so, 'tis no matter whether the Party compelled judge it so or no; and it is the Compellers duty to be ware that the thing be good really and in it self. And to prove this is the duty of a Christian Prince I did before instance in *Constantine* and *Theodosius*, and I add now *Arcadius* and *Honorius*, whose Laws are yet extant to punish obstinate Hereticks, if they did not return to the Church; Were not these Christian Princes? And was it not the true Christian Faith to which these Hereticks were compelled? Wherefore it doth not hence follow that they are innocent who compel men to a false Religion, such as Popery is; no, nor yet that the Popish Fire and Faggot is lawful, because pious Emperours used lesser Penalties to a good purpose: *T. E.* knows I did declare against Capital Punishments in Case of Religion, and yet he would not cite my Opinion at large, that he might fallly accuse me and revile me, so that I may say to him as he in the Comcedian, *There is nothing but it may be depraved, if we take away that which is good, and repeat only what may seem evil.* I desired my Adversary to Read *St. Augustine's* Fiftieth Epistle, where he might have found, that blessed Father was as well against Popish Capital punishments, as Fanatick Libertinism, and by Arguments not easily answered he proves  
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it the duty of Christian Princes to make Laws to compel men to the True Religion, *For what sober man will say to a Religious King, It doth not belong to you in your Kingdom to take care who Oppresses or Impugns the Church of your great Lord, it is nothing to you whether men will be Religious or Sacrilegious?* And when the Donatists ask, *Who Christ compelled?* He replies, he compelled St. Paul into the Church by Terror, and Ordered his Messengers to compel others, *Luk. xiv.* Observing that when the *Persian King* made a Law against Blaspheming the true God; a Blasphemer might as well have called that Persecution, as Separatists who *divide the Members of Christ, and vilifie his Sacraments, and then glory of Persecution, because they are forbid to do this by the Imperial Laws, &c.* This and much more than T. E. can answer, he may find in that Epistle: To which I shall only add, that this Coercive power is so necessary to keep evil men in Awe, that when the Church wanted Christian Magistrates, and could have no assistance from the Laws of Princes to restrain such Offenders, God gave the Ministers a miraculous Power to inflict Corporal punishments upon those whom they Excommunicated for their Crimes, for Satan did seize those, and torture them with strange distempers, who were under the Church censures, as we may  
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gather from *Acts* xiii. 11. and *1 Cor.* v. 5. where the Phrase of *Delivering over to Satan for the destruction of the Flesh*, is thus to be understood. Hieron. *Com. in loc.* Theophylact. *ibid.* and Ham. *Annot. in loc.* So that 'tis plain God will work a Miracle (where ordinary means are wanting) rather than obstinate Offenders shall not be compelled to repent and amend; and this justifies our moderate Penalties in an ordinary way, when that extraordinary method is ceased.

Page. 495. Though the Quaker urge the Precepts which Christ gave to those he sent, as obligatory to us, yet he is so inconsistent with himself, that he spoils all his Arguments again, by saying, *I (and my Brethren, I suppose) are none of those Christ sent*; and if we be not, why doth he press us with those Precepts? This is not unlike the Mad-man in *Constantinople* mentioned by *Nicetas*, who fancied he was killing Serpents, when he was breaking his own Pitchers to pieces: As for our Mission, 'tis not one jot the less Authentick for *T. E's* impudent denying it. But I suppose he will grant Christ sent *St. Paul*; and yet *St. Paul* declares Christ had given him power to demand a Maintenance of the *Corinthians* Church in general, not excepting but including

cluding those who were fallen off to false Teachers, as I proved before; which shews, that those who had once received the Apostles, and still professed themselves Christians, were bound to maintain the Apostles of Christ, though they had chosen false Teachers to themselves. 'Tis true, they had then no Christian Magistrates nor Laws to compel refusers; yet, then the Apostle St. *Paul* asserts his Right; and St. *Peter* by a miraculous Coercive Power severely punishes *Ananias* and *Saphira* for keeping back part of that which themselves pretended to give for Maintenance of the Church. And can we think if these Apostles had lived under Christian Princes, where others had given a Maintenance, and Laws had declared it due to the Ministers, they would not have allowed the Executing those Laws upon the detainers of those Dues? We have proved that the Maintenance we demand, is our own, our due by God's Law, by the Donation of the owners of those Lands out of which these profits arise, by the Laws of the Church and the State also, and Christ bids Quakers render to all their Dues; which Precept, if they despise and will not pay to us that which is due to us by so many Titles, they ought to be compelled to be Honest, even against their wills. Jesus no where forbids the punishing those who invade others Rights,

Rights, nor did he intend to protect such as break his Laws, as well as the Laws of man; by refusing to render them their Dues: If we had no more but a Civil Right to Tithes we might as lawfully compel men to pay them by Temporal Penalties, as other men may do who have no other Title to their Estates; much more when the Civil Right is strengthened by a Divine Right also. As to his Repetitions, we refer the Reader to those places where they have been confuted already.

§. 28. **P**ag. 497. The last Question of going to Law for Tithes the Quaker hath left upon this bottom; viz. that if they be not Due, they may not be Sued for; and I am willing to leave it to the Reader to judge, whether I have not proved them to be Due, and consequently to be Sued for, if detained. Only I shall note, that if it be allowable to Sue in any Case, it is for the Belly, that is, when the thing detained is our subsistence, and we may Starve for want of it, and our Families also; in such a Case it is necessary to Sue, and so not sinful; the offence comes by, and the woe belongs to those

Ανευ γὰρ τῶν ἀναγκαίων ἀδυνατον (ῥῶ. Arist. Pol. l. 1. c. 3.

Δενδὼν ἂν δὲν τῶν ἀναγκαίων βρωτῆς. Eurip. Necessitas quæ cogit defendit.

who take away our very Meat and Clothing, and encourage others (especially if we forbear them) to do the like. The Minister were worse than an Infidel, if he suffered such unjust Persons to run away with the Bread of his Family; and yet to hinder them from doing us this mischief, is that which they call Cruelty and Persecution; It is Grotius his Note upon that place, *Art thou come hither to torment us?* Matth. viii. 29. *That Christ only intended to hinder the Devil from tormenting others, but (saith he) he and those that are like him, count it a Torment to be restrained from doing mischief.* As to my Friends charging the Quakers Spirit with changing and variableness, since formerly it forbid them to go to Law, and to say Grace, which now (it seems) it permits; I dare say the whole Nation can bear him witness that the first Quakers did forbear both these, yet T. E. (to shew how little he scruples telling Lies for advantage) most audaciously denies both: No wonder then, if such a man deny the matters of Fact charged on the Quakers by my Friend, and say he doth not believe them, for by this time the Reader sees that he resolves not to believe the plainest Truths that make against him, though his Faith can swallow the falsest things that serve his evil ends.

§. 29. **P**Ag. 502. It is good advice of St. Hierome, to Beware of saying that of another which may presently be resorted upon our selves. Hier. in Ruffin. l. 3. Yet the Quaker loudly complains of me for giving him ill language, in that Book where he reviles the Primitive Fathers, our Saxon Ancestors, our Judges and Laws, and the whole Order of Clergy, and heaps all the reproach and contempt upon me that his malice could inspire him withal: For the Epithetes he complains of, there was just occasion for me to use them as the Reader may see, if he consult the particular places, and to call Evil men by their deserved names, is no railing, no more than it was in St. John to call the Pharisees, *A Generation of Vipers*. They must be angry at themselves for deserving such Titles, not at me for justly bestowing them. But whatever other men say or think of the Quakers, they have so good a conceit of themselves, that they fancy they are like the Primitive Christians; which is a certain Argument (to men of knowledge) they either do not know them, or do not know themselves; for Light and Darkness are not more contrary: Surely if T. E. could



have named any Author of theirs who had made out the Parallel, he would not have envied us the sight of so rare an Undertaking. As for himself, he slips his own Neck out of the Collar by pretending that I put him upon proving Negatives; and yet in this very Conclusion he Musters up I know not how many [No's, Not's, and Never's] which he would have us believe he hath proved; and are these Affirmatives? This then is a meed evasion; and since 'tis certain the Primitive Christians had Sacraments, distinct Orders of Clergy, &c. yea, and paid Tithes; he might easily have got off from that Rock, by proving, That the Quakers had Sacraments, distinct Orders of Clergy, &c. and paid Tithes also; but indeed he did not justify the Parallel because he could not; that must remain the true reason. By this time I hope it appears that my Adversary is so unlike to other men, and so differing from himself, that it ought to be no wonder if I had charged him in one place with Ignorance and Folly; and in another, with Politick Equivocation and Sophistry, for he hath shewed his Ignorance in Authors, and all solid Learning, his folly in innumerable Childish mistakes; and yet in other places, his catching at Phrases;

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concealing such parts of his Quotations as make against him, and his fallacious arguings demonstrate he spared not to use all the Sophistry and Equivocation he was Master of, in this Cause; Nay, in some of these last Pages, we have an instance both of his Folly in undertaking, and his Equivocation in managing the defence of that notorious abuse of Scripture, viz. his Friends Exposition of *The Priests bear Rule by their means*, that is, as they expound, by their Estates. But whatever conceit he hath of his performances, I must say with St. *Augustine* to *Cresconius*, *I see you have Replied to many things, but refuted nothing*: Only he hath confuted himself in pretending to wait in stillness till Authority remove Tithes, pag. 515. Whenas this very Book is a loud Exclamation against the Laws and Authority that enjoy them. He and his Quakers Rail in their Writings, in their Conventicles, and in all Companies, against Tithes——and is this waiting in Stillness, and submitting quietly? Certainly (saith the forenamed Father) *they speak to us, as if we were blind, and could only hear what they say, and not see what they do*. The whole Kingdom knows how much their Doings contradict these deceitful words.

And

And now I shall conclude without troubling the Reader with a Repetition of what I have Proved, remembering I write to those who are able to judge whether I have well defended my Cause or no, and to such if my Arguments do not commend themselves, my boasting of them will never recommend them.

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**F I N I S.**

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